

Town Council Summary from the April 13, 2015 Town Meeting

- Approved the Town Council Minutes from March 9, 2015.
- Held a Public Hearing on Budget Ordinance No. O-01-2015 for Fiscal Year 2015-16 (FY16). *The public record will remain open until the close of business (4:00 pm) on May 6, 2015.*
- Held a Public Hearing on Ordinance No. O-02-2015 - Amending Chapter IV, Article II, establishing Section 4-209 by incorporating Chapter 30-C of the Montgomery County Code in order to regulate the towing of vehicles from private property. *The public record will remain open until the close of business (4:00 pm) on May 6, 2015.*
- Held a Public Hearing on Ordinance No. O-03-2015 - Amending Chapter II, Article I, establishing Sections 2-113 and 2-114, Compensation of the Mayor and Council. *The public record will remain open until the close of business (4:00 pm) on May 6, 2015.*

April 13, 2015

Town Meeting 7:00 p.m.

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

The Minutes from the March 9, 2015 Town Meeting were approved. See Council Actions.

From the Town Council –

Council Member Bartram commended the recently held 2nd Annual Kensington Car Show and looked forward to future events within the Town, including the Day of the Book Festival.

Council Member McMullen reported that the Traffic Committee will convene on Monday, May 4th, 7 pm. Code Enforcement Officer, Jim Snow, will be presenting data from the newly acquired radar recording device on certain Town streets.

Council Member Sexton thanked Mario Bruno, Kensington Service Center, for coordinating the Car Show. He also suggested having a number of the cars within the Labor Day Parade.

Council Member Furman reported that Maier Warner has distributed a post card advertising upcoming Town events to neighboring areas; the ExploreKensington.com website has been updated; the Kensington Map brochure has been completed and will be available at the Day of the Book Festival; and reminded everyone that the Greenscape Committee will be hosting an Arbor Day event in conjunction with the Farmers Market on Saturday, April 18th, at the Train Station.

From the Public –

George Buckwalter requested a remedy to the apartments not receiving the recently distributed

post card highlighting Town events. Mr. Buckwalter also asked why vehicles continue to receive only warnings and not tickets for violating the parking restrictions on Fawcett Street.

Council Member Furman stated that it was not the intention of the Town's public relations firm to skip sending the post card to apartment residents, and that we would make available the post cards.

Council Member McMullen stated that we should be ticketing violators at this point and should no longer be issuing warnings. Town Manager Daily stated he would discuss the matter with the Code Enforcement Officer.

Julie O'Malley spoke in support of the Car Show and asked where she could get a copy of the Town Map and Restaurant Guide.

Council Member Furman stated that the Town just received the maps and will make them available at the Day of the Book Festival.

Elisenda Sola-Sole spoke on the importance of the apartment residents receiving Town literature.

Council Member Bartram asked about the distribution of the Town Journal.

Assistant Town Manager Hoffman explained that the Around Town Journal is mailed directly to apartment residents that have asked to receive a hard copy of the Journal, and noted that the staff created a direct mail list following a number of inquiries, but few apartment residents responded. The Around Town Journal is available on our website (www.TOK.MD.GOV), at Town Hall, and placed within the Howard Avenue kiosk.

Jack Gaffey suggested checking with Gary Ditto on obtaining a copy of his mailing.

Ordinances, Resolutions, Regulations –

Council Member Furman stated that each Ordinance was introduced at the March 9th Council Meeting and appropriately advertised per the requirements set forth within Section 1307 of the Town Charter.

A Public Hearing was held on Ordinance No. O-02-2015 – Amending Chapter IV, “Traffic and Vehicles”, Article II, “Parking”, establishing Section 4-209, “Motor Vehicle Towing on Private Property”, by incorporating Chapter 30-C of the Montgomery County Code, “Motor Vehicle Towing and Immobilization on Private Property”, to regulate the towing of vehicles from private property.

Eric Friedman and Doug Numbers, Montgomery County Office of Consumer Protection, were present to explain the difference between the County and State regulations regarding private property towing. Currently, the County law does not apply within Kensington, so the protections they offer are not available for issues that arise within the Town. Mr. Numbers mentioned that while the State law does offer some recourse, incorporating the County law would benefit

consumers if an issue were to happen; stating that there was no downside to the Town adopting Chapter 30-C.

Dr. Michael Curran, a business owner within the Town, spoke in favor of adopting Ordinance No. O-02-2015 and incorporating Chapter 30-C of the County Code.

The record will remain open until the close of business on May 6, 2015. See Council Actions.

A Public Hearing was held on Ordinance No. O-01-2015 – Adopting the Town Operating and Capital Budget for Fiscal Year 2015-16 (FY16), and levying a tax on all assessable property within the Town. Council Member McMullen reported no questions had been received prior to the Public Hearing. See Council Actions.

Dr. Campbell asked whether a brick imprinted crosswalk was included within the CIP for the area crossing Kensington Parkway at Kensington Cabin Park; suggested that the next street resurfacing project be placed out to bid following some concerns he had with the Town's current contractor, NZI Construction; questioned why Personnel Services under General Government within the FY16 Budget had increased 10 percent from the previous fiscal year; and asked why anticipated speed camera revenue had increased from the previous fiscal year.

Town Manager Daily stated that the 10 percent increase in Personnel Services included a proposed 3.7 percent cost of living and merit increase for the Town staff, funding for a possible part-time and/or internship position to help with both administrative and economic development projects, along with an additional contribution to the Town's defined benefit plan to help off-set the Town's obligation. Mr. Daily also explained that the speed camera revenues are expected to increase from the previous fiscal years, as construction projects along Connecticut last year limited the availability of the cameras use.

Council Member McMullen and Town Manager Daily both stated that they would review the existing contract with NZI and compare it with Montgomery County's resurfacing contract.

George Buckwalter mentioned issues with the benches and trash cans along Howard Avenue and if the budget allowed for maintenance. Town Manager Daily stated that the budget includes funds to replace a number of benches.

A Public Hearing was held on Ordinance No. O-03-2015 – Amending Chapter II, "Government and Administration", Article I, "Town Offices and Procedures", by establishing Sections 2-113 and 2-114, "Compensation of the Mayor and Council". Town Manager Daily stated that the salaries of elected municipal officials varied greatly State wide; however, one approach municipalities have taken is to link their compensation to the cost of living index (CPI), which would take effect in July of each year.

Julie O'Malley stated that the amount the Mayor and Council receive has always been considered an honorarium and questioned the use of the CPI.

Dr. Curran spoke in support of the CPI.

George Buckwalter suggested increasing the compensation by the amount of the CPI over the

last eight years, and then incorporating an increase through the CPI from there.

Jack Gaffey reiterated that the intent of the compensation was a modest honorarium and also stated that an increase occurred during the administration of Mayor Raufaste.

Eli Sola-Sole suggested that the honorarium be a round number and not linked to the CPI.

The Council discussed the possibility of increasing the amount by comparing it to the CPI over a period of the last eight years; identifying a specific amount; or just linking the pay to coincide with the years CPI. The Council decided that they would keep the record open until 4:00 pm on May 6th to allow greater feedback from the community. See Council Actions.

Council Actions –

Council Member McMullen moved to approve the Minutes from the March 9, 2015 Town Meeting. The motion passed unanimously.

Council Member McMullen moved to hold the record open until the close of business May 6, 2015 on Ordinance No. O-02-2015 – Amending Chapter IV, “Traffic and Vehicles”, Article II, “Parking”, establishing Section 4-209, “Motor Vehicle Towing on Private Property” to incorporate Chapter 30-C of the Montgomery Code, “Motor Vehicle Towing and Immobilization on Private Property”. The motion passed unanimously.

Council Member McMullen moved to hold the record open until close of business on May 6, 2015 on the Budget Ordinance No. O-01-2015 for Fiscal Year 2015-16. The motion passed unanimously.

Council Member McMullen moved to hold the record open until close of business on May 6, 2015 on Ordinance No. O-03-2015 – Amending Chapter II, “Government and Administration”, Article I, “Town Offices and Procedures”, by establishing Sections 2-113 and 2-114, “Compensation of the Mayor and Town Council”. The motion passed unanimously.

Council Member McMullen moved to adjourn the meeting at 8:35 pm. The motion passed unanimously.