

Town Council Summary from the March 9, 2015 Town Meeting

- Approved the Town Council Minutes from February 9, 2015.
- Presented Chief Heflin, Kensington Volunteer Fire Department (KVFD), with a \$1,000 donation towards their Ambulance Fundraiser.
- Introduced Budget Ordinance No. O-01-2015 for Fiscal Year 2015-16 (FY16) and set the *Public Hearing date for Monday, April 13, 2015.*
- Introduced 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 Hearing date was set for Monday, April 13, 2015.*
- Introduced 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 Hearing date was set for Monday, April 13, 2015.*
- Approved Resolution No. R-05-2015 - A Resolution confirming the appointments made by the Mayor to the Development Review Board (DRB).
- Approved Resolution No. R-06-2015 - A Resolution supporting HB 690, Property Tax Fairness Act of 2015, currently before the Maryland State Legislature.

March 9, 2015

Town Meeting 7:00 p.m.

Mayor Fosselman, Council Members Bartram, Furman, McMullen, and Sexton, Town Manager Daily, Assistant Town Manager Hoffman and Clerk-Treasurer Engels were present. The Pledge of Allegiance was recited and a Moment of Silence was observed. Council Member Furman announced her son made Senior Master Sergeant with the US Air Force.

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

The Mayor presented Chief Heflin of the Kensington Volunteer Fire Department (KVFD) with a \$1,000 donation from the Town to jumpstart their ambulance fundraiser. Chief Heflin thanked the Town and stated the new ambulance has been ordered, with a delivery scheduled for early next year. Chief Heflin also appointed Mayor Fosselman as an honorary member of the KVFD and presented him with a fire helmet.

From the Mayor and Town Council –

Mayor Fosselman reported he held a Coffee with the Mayor with apartment Residents to discuss a number of issues; he is currently working with staff to respond to requests and suggestions; the playground equipment has been installed, and he noted that positive feedback has been received and thanked the many volunteers; announced the County Forestry Board has awarded the China Fir, located within Clum Kennedy Park, with the designation of Champion Tree. The China Fir is the largest known in the County. He attended the annual MML legislative reception in Annapolis, where HB 690 (Property Tax Fairness Act of 2015) was discussed; he noted that he also testified in favor of HB 690; and thanked the Town crew and staff for their work during the snow storms.

Council Member Sexton thanked everyone involved with the Park Department's Historical

Buildings meeting and commended their efforts to seek funding for future renovation projects at Kensington Cabin Park, Noyes Library, and the Warner Mansion.

Council Member Furman reported the Greenscape Committee will be meeting March 10th, and will discuss possible shade structures for Howard Avenue Park. The Committee will also discuss details for the April 18th Arbor Day event in conjunction with the Farmers Market. She mentioned that Maier Warner was finalizing updates to the ExploreKensington.com website, to include a children's page and restaurant guide. They will also be distributing both a brochure highlighting a number of Town events, along with a business/restaurant guide to neighboring areas to help promote the Town. Council Member Furman asked about appointing Yvonne Gurney and Bonita Condon to the Greenscape Committee, as Bonnie Berko stepped down from the Committee; and commended Jason Swain for the pictures he took during the latest snow storm.

Council Member McMullen thanked the Town crew for all their efforts during the weather events; and noted that the Traffic Committee met on February 25th, discussing the Fawcett Street and Howard Avenue parking situation, with the Committee agreeing to continue enforcement. The Committee also discussed the possibility of dedicating certain spaces for businesses, most likely coming from the Train Station lot. Noted that a radar recording device was purchased, which will help provide information to the Town on the number of cars and their speed at certain locations, to include the area of Howard Avenue and Fawcett Street; Armory Avenue; and Calvert Place. The next Traffic Committee meeting will be held on April 29th at 7 p.m.

Council Member Bartram reported that he attended the Traffic Committee meeting and thanked the Town crew and staff for their work during the recent weather events.

From the Public –

George Buckwalter asked about replacing the Maple tree in Howard Avenue Park; and the continued need for parking enforcement along Fawcett Street. Council Member Furman stated the tree would be replaced as part of the Arbor Day event, and the Mayor stated he will contact the property owner of the Decorating Den about continued parking violations.

Dr. Campbell thanked the Town crew for snow removal, and noted he supported the Town's efforts on HB690. Dr. Campbell also requested enforcement of the intersection of Frederick Avenue and Frederick Place, where the stop sign is disregarded by many drivers; and for a brick crosswalk to replace the painted crosswalk along Kensington Parkway in front of Kensington Cabin Park. Town Manager Daily stated that although it is not recommended to place crosswalks in the middle of a block, he would discuss a possible realignment with our Traffic Engineer.

Mr. Daily also noted that he would ask the Montgomery County Police to include Frederick Avenue and Frederick Place in their enforcement areas.

Jack Gaffey thanked the Town crew for snow removal, and stated that a lot people do not stop at the posted stop signs, and that white painted stop bars would help drivers identify the intersection.

Ordinances, Resolutions, Regulations –

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 was introduced. A Public Hearing was set for Monday, April 13, 2015, 7 pm. Town Manager Daily stated that he recommends that the Real Property Tax Rate remain the same at \$0.0136. Council Member McMullen invited the public to email any comments or questions in advance of the Public Hearing to Mayor.Council@tok.md.gov. There were no public comments. See Council Actions.

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 Code, “Motor Vehicle Towing and Immobilization on Private Property”, and regulate the towing of vehicles from private property was introduced.

Town Manager Daily stated that while the State law currently applies to towing on private property within the Town, the County law better suits our needs on enforcement, and we are required to adopt Section 30-C to allow for County enforcement to apply. Council Member McMullen clarified that by adopting Section 30-C, it will give those that have a private property towing dispute the ability to contact the County’s Department of Consumer Affairs to investigate. The current State law does not allow for this grievance process. Mr. Daily stated he would contact the Office of Consumer Affairs to see if they could have someone available for the Public Hearing to answer any additional questions.

Marlene Cohn spoke in support of the Ordinance and thanked Delegate Carr and the Town for their response to her concerns. Mayor Fosselman also thanked Delegate Carr for his attention to this matter.

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” was introduced. The Public Hearing date was set for Monday, April 13, 2015. Town Manager Daily stated that in researching the salaries of other elected officials within the State, they varied greatly. However, one approach was to link their compensation to the cost of living index, which would take effect in July of each year. There was no public comment. See Council Actions.

Resolution No. R-05-2015 – A Resolution confirming the Mayor’s appointments of Paul Sexton (Council), Darin Bartram (Revitalization), Van Franke (Professional), and Brian Hak (Resident) to the Development Review Board for two (2) year terms was presented. There was no public comment. See Council Actions.

Mayor Fosselman stated that the Development Review Board was created to oversee any future development within the Town.

Resolution No. R-06-2015 - A Resolution supporting the adoption of House Bill 690 (HB690), the Property Tax Fairness Act of 2015, was presented. Mayor Fosselman stated that HB 690

would allow for counties and municipalities to determine an appropriate compensation for duplicated services. Currently, some municipal residents throughout the State are being taxed by both their county and municipality for a service provided by the municipality. The Mayor also encouraged Residents to call and write their District 18 Representatives and let them know you support HB690.

Sam Bellet, representing Boy Scout Troop 6, acknowledged his Troop's attendance in order to meet the local government requirement for the Citizenship in the Community Merit Badge. Mayor Fosselman thanked Troop 6 for their attendance.

Council Actions –

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

Council Member McMullen moved to introduce the Budget Ordinance No. O-01-2015 for Fiscal Year 2015-16, and set the Public Hearing for April 13, 2015. The motion passed unanimously.

Council Member Furman moved to introduce 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 Public Hearing was set for April 13, 2015. The motion passed unanimously.

Council Member McMullen moved to introduce 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 Public Hearing was set for April 13, 2015. The motion passed unanimously.

Council Member McMullen moved to adopt Resolution R-05-2015 confirming appointments of Paul Sexton (Council), Darin Bartram (Revitalization); Van Franke (Professional); and Brian Hak (Resident) to the Development Review Board for two year terms. The motion passed unanimously.

Council Member McMullen moved to adopt Resolution R-06-2016 supporting the adoption of HB690, Property Tax Fairness Act of 2015. The motion passed unanimously.

Council Member Sexton moved to adjourn the meeting at 8:10 pm. The motion passed unanimously.