

## **Town Council Summary from the September 12, 2016 Town Meeting**

- Approved the Town Meeting Minutes from August 8, 2016.
- Denied an appeal by Michael O'Connor, in accordance with Section 706 of the Town Charter, requesting the opportunity to cast a write-in vote for as many positions as are to be filled on the Town Election ballot.
- Concurred to have Town staff meet with the Residents of Dupont Avenue to discuss the placement of speed hump(s), and to have the Town's radar recording device collect data on traffic counts.
- Adopted Charter Resolution CR-01-2016 - A Charter Resolution to Amend Article IV, "The Council", Section 405, "Meetings of the Council", to change the date of the required Organizational Meeting to the first Council Meeting in July, and to make certain non-substantive changes. *The Charter Resolution will take effect on November 1, 2016.*
- Postponed Action on Ordinance No. O-02-2016 - An Ordinance Amending Chapter IV, "Traffic and Vehicles", Article 2, "Parking", Section 4-201, "General Parking Restrictions", to prohibit commercial vehicle parking on Town rights-of-ways until the next Town Meeting on October 10, 2016. The Council concurred to have the Town Attorney review the suggested revisions.
- Adopted Ordinance No. O-03-2016 - An Ordinance Amending Chapter VIII, "Health and Environmental Regulations", Article 4, "Property Maintenance", Section 8-403, "County Clean and Lien Regulations Adopted", to authorize the Town to enforce County regulations. *The Ordinance will take effect on October 2, 2016.*

### **September 12, 2016**

#### **Town Meeting 7:00 p.m.**

Mayor Furman, Council Members Bartram, McMullen, Rodriguez, and Rollins, 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 to honor the victims of September 11<sup>th</sup>.

The Town Meeting Minutes from August 8, 2016 were reviewed and approved. See Council Actions.

#### **From the Mayor and Town Council –**

Council Member Bartram stated he was appreciative for another successful Train Show event.

Council Member McMullen reported that the Traffic Committee will convene on September 22<sup>nd</sup> and will discuss the intersection of Calvert Place and Washington Street; Mr. McMullen also noted he attended the Greenscape Committee meeting; and thanked the Town staff, Crew, and Volunteers for the successful Labor Day Parade and Festival.

Council Member Rodriguez reported that the Greenscape Committee discussed the aesthetics, maintenance, and replacement schedule of sidewalks; noted the Composting subcommittee updated the full Committee on composting options; and stated that the Fountain Committee

reported that they have received \$27,000 in donations and are anticipating reaching their \$30,000 goal by the spring. The Events Committee met and is actively working on a handbook for community events and will be meeting next month. Mr. Rodriguez also noted that he attended the Kensington CAN business meeting, and announced the upcoming open houses for both Kensington Park Assisted Living and Jenny Cakes.

Mayor Furman suggested the Greenscape Committee review the replacement of the walking path within St. Paul Park, which needs to be included within the CIP; and noted she received positive feedback on the new parade route.

Council Member Rollins stated that the Kensington CAN business reception was very well attended, and noted that the crosswalk along Metropolitan Avenue has been striped; however, it is still missing the signage.

Mayor Furman reported she attended the Labor Day Parade and Festival, model Train Show, and the Kensington CAN business reception, which was well attended. Ms. Furman also thanked Peter Fosselman and Maier Warner for their efforts in reaching out to the business district.

### **From the Town Manager and Staff**

Mayor Furman announced that the Town had received an appeal from Michael O'Connor, Frederick Avenue, in accordance with Section 706 of the Town Charter, requesting the opportunity to cast a write-in vote for as many positions as are to be filled on the Town Election ballot. Ms. Furman noted that the Town Attorney had written an opinion on the appeal and stated that the Town does not specifically allow for write-in candidates on the ballot, and that the appeal should be denied.

Council Member McMullen stated that the Board of Election acted properly by not allowing write-in candidates on the ballot, and noted that an individual wishing to run for office only needs to submit a certificate of nomination.

Council Member Rodriguez stated that the provisions within the Charter could be amended to allow for write-in candidates.

Council Members Bartram and Rollins concurred that an amendment was not necessary, per Council Member McMullen's observation of the ease to be nominated. See Council Actions.

Tim Willard informed the Council that even State level elections require a write-in to file well in advance of the election.

Town Manager Daily stated that the previous Council approved the installation of speed humps along Dupont Avenue, and the Town's Traffic Engineer suggested appropriate locations; however, the Town staff has since received feedback from Residents opposing the placement of the speed humps.

The Council discussed the concerns and concurred to collect data with the radar recording device

before the humps are installed and then again after the humps are installed.

Council Member McMullen suggested that he and Assistant Town Manager Hoffman meet with the Residents to discuss possible locations.

Mayor Furman stated that any future speed hump requests will need to be submitted through a formal petition, so that everyone on the street has been consulted. There were no public comments.

Christiane Graham, Cedar Lane Unitarian Universalist Church, along with other members of the Church's Environmental Ministry, discussed concerns over the State of Maryland's pending fracking ban expiring in October 2017. Ms. Graham urged the Town to pass a resolution in support of the fracking ban within Maryland.

Mayor Furman thanked the group for their concerns and asked that additional information be provided to the Town staff.

#### **From the Public –**

Joseph Campbell spoke in support of the changes made to the Labor Day Parade and Festival; and stated that although he missed the meeting on extending NZI's street paving contract, he wanted to note that they are unresponsive to concerns and are aggressive with tree root removal. Mr. Campbell also noted the hazard along Kensington Parkway access road if two vehicles park across from each other and suggested painting the curb yellow or adding no parking signs; and he requested additional information on the new Montgomery County Police bicycle program.

Alison Oppenheim requested that the Town take over responsibility for the flower garden on the south side of Baltimore Street, as she will no longer be able to maintain the garden, and also requested that the Town Crew include Noyes Library to their mowing schedule.

George Buckwalter requested traffic enforcement on Howard Avenue; the fountain at Howard Avenue Park be addressed; and asked about the dumping behind the Huggins property on Connecticut Avenue.

Council Member Rollins suggested a traffic control device at the intersection of Howard and Fawcett to slow down traffic.

Council Member McMullen stated the Traffic Committee had reviewed a possible three-way stop at a previous meeting, but took no action following the data from the radar recording device. However, Mr. McMullen noted that the Committee could take the issue back up at the next meeting.

Alice Kessler stated she supports a three-way stop at the Howard Avenue and Fawcett intersection to improve safety, and noted she did not receive the last mailing of special events.

Mayor Furman stated that there was confusion by Maier Warner on the mailing list; however,

they corrected the issue and the apartments should be receiving the mailer on Friday; and the Town has contacted the Huggins property owners to discuss the illegal dumping.

Paul Sexton informed the Public that Edward Jones will be hosting a presentation on Wills and Estates on Tuesday, September 13<sup>th</sup>, 6:30 pm, at Town Hall.

### **Ordinances, Resolutions, Regulations –**

**Charter Resolution No. CR-01-2016** - to Amend Article IV, "The Council", Section 405, "Meetings of the Town Council", to change the date of the Organizational Meeting from the first Monday in July to the first Council Meeting in July, and to make certain non-substantive changes was presented for adoption. No public comment was received following the Public Hearing. The amendment will be effective November 1, 2016. See Council Actions.

**Ordinance No. O-02-2016** – to Amend Chapter IV, "Traffic and Vehicles", Article 2, "Parking", Section 4-201, "General Parking Restrictions", to prohibit commercial vehicle parking on Town rights-of-way was presented for adoption.

Mayor Furman noted that Public Comment was received following the Public Hearing with regards to parking on the street for more than 48 hours.

Council Member Bartram stated he reviewed Ordinance No. O-02-2016 and was proposing two Amendments: 1) modify the Ordinance to allow for one (1) commercial vehicle to be parked in the street per residency; and 2) eliminate the restriction on advertising so not to adversely affect local businesses.

Council Member Rollins suggested that residents with a driveway be required to park a commercial vehicle within the driveway instead of the street.

Mayor Furman questioned the legality of requiring residents with a driveway to park any commercial vehicles within their driveway, while allowing other residents to park commercial vehicles within the street.

Council Member Bartram stated that the Council could address advertising on commercial vehicles separately, if it becomes a problem within the Town.

The Council concurred on Council Member Bartram's Amendments; however, they decided to postpone action until the October 10<sup>th</sup> meeting to discuss the Amendments with the Town Attorney.

**Ordinance No. O-03-2016** - to Amend Chapter VIII, "Health and Environmental Regulations", Article 4, "Property Maintenance", Section 8-403, "County Clean and Lien Regulations Adopted", to authorize the Town to enforce County regulations was presented for adoption. The ordinance will be effective October 2, 2016. No public comment was received following the Public Hearing. See Council Actions.

## **Council Actions –**

Council Member Rollins moved to approve the Town Meeting Minutes from the August 8, 2016 Town Meeting. The motion passed unanimously.

Council Member McMullen moved to deny the appeal by Michel O'Connor under Section 706 of the Charter. The motion passed unanimously.

Council Member McMullen moved to adopt Charter Resolution CR-01-2016 to Amend Article IV, "The Council", Section 405, "Meetings of the Town Council", to change the date of the Organizational Meeting from the first Monday in July to the first Council Meeting in July, and to make certain non-substantive changes with an effective date of November 1, 2016. The motion passed unanimously.

Council Member McMullen moved to postpone consideration until the meeting of October 10<sup>th</sup> of Ordinance No. O-02-2016, to Amend Chapter IV, "Traffic and Vehicles", Article 2, "Parking", Section 4-201, "General Parking Restrictions", to prohibit commercial vehicle parking on Town rights-of-way, to allow for the Town Attorney to review the amendments by Council Member Bartram. The motion passed unanimously.

Council Member McMullen moved to adopt Ordinance No. O-03-2016 to Amend Chapter VIII, "Health and Environmental Regulations", Article 4, "Property Maintenance", Section 8-403, "County Clean and Lien Regulations Adopted", to authorize the Town to enforce County regulations with an effective date of October 2, 2016. The motion passed unanimously.

Council Member Rodriguez moved to adjourn the Town Meeting at 8:42 p.m. The motion passed unanimously.