

May 13, 2019 Town Council Meeting

- Approved the Town Meeting Minutes from April 8, 2019.
- Approved the Town Work Session Minutes from April 22, 2019.
- Approved writing a letter to the Montgomery County Department of Transportation (MCDOT) with regards to the 2017 lane reconfiguration along Summit Avenue between Brookfield Drive and Prospect Street. The letter will reference the following points:
 - MCDOT should have engaged the Town and surrounding communities prior to removing the traffic control measures in 2017;
 - Residents along the 10300 and 10400 blocks of Summit Avenue deserve the same traffic calming protections as other blocks of Summit Avenue and Cedar Lane;
 - The existing sidewalk along Summit Avenue and the crosswalk adjacent to Brookfield Drive are unsafe and do not provide adequate protection for pedestrians; and
 - The letter will request that MCDOT make traffic calming measures consistent with the Master Plan.
- Approved language for a proposed Petition that would allow 16 – and 17-year-olds to vote within Town Elections. If the proposed Petition receives signatures from the required 20 percent of registered voters within the Town, the Council will either initiate a Charter Amendment (a Public Hearing would be held) or elect to place the proposed Amendment to referendum.
- Adopted **Ordinance No. O-02-2019** – An Ordinance adopting the Town’s Operating and Capital Budget for Fiscal Year 2019-2020 (FY20) and levying a tax on all assessable property within the Town.
- Introduced **Ordinance No. O-03-2019** – Introduction of an Ordinance Amending Chapter VI, “Article 1, “Signs and Solicitors”, Sections 6-101, “Signs”; 6-102, “Town Sign Permit Required”; 6-103, “Signs in the Public Right of Way”; 6-104 “Signs on Private Property – CRT, CRN and Industrial Zones”; and 6-106, “Enforcement and Penalties” to identify the types of signs that are authorized and are required to be permitted; expand the prohibition on pole signs; to regulate limited duration signs on private property; to clarify that all illuminated signs are regulated in the same manner and to make conforming changes. *The Public Hearing is scheduled for Monday, July 8, 2019, 7:00 pm.*
- Approved **Resolution No. R-09-2019** – A Resolution of the Mayor and Town Council of Kensington to adopt the Montgomery County Hazard Mitigation Plan (2018).

Town Meeting 7:00 p.m.

Mayor Furman; Council Member Bartram, Crimmins, Hill-Zayat, 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.

The Town Meeting Minutes from April 8, 2019 were reviewed and approved following a correction to Council Member Rollins’ statement pertaining to the responsibility of the storm drains within the newly annexed area. Mr. Rollins noted that he recalled that at the beginning of the annexation process the Town would not take responsibility of the storm drains.

Council Member Bartram suggested, and Council Member Rollins agreed, to change the Minutes to the following statement:

Council Member Rollins opposed that the Town should be responsible for the maintenance of the storm drains within the recently annexed area. See Council Actions.

The Work Session Minutes from April 22, 2019 were reviewed and approved. See Council Actions.

From the Mayor and Council

Summit Avenue Traffic Calming and Lane Reconfiguration

Council Member Bartram explained that MCDOT installed traffic calming measures in 2012, to include reducing the northbound travel lanes from two to one. However, at the suggestion of Delegate Carr, MCDOT reinstalled the second northbound travel lane between Brookfield Drive and Prospect Street in the fall of 2017, which has created an unsafe environment for pedestrians along Summit Avenue.

Mayor Furman noted that she and Council Members Bartram, Crimmins, and Hill-Zayat met with Michael Paylor, MCDOT, to discuss their concerns with regards to Summit Avenue. Mayor Furman stated that Mr. Paylor agreed to review the site for both short and long term pedestrian safety measures.

Jack Gaffey stated that sidewalks should not be placed directly adjacent to the curb as to allow for a green strip in between; and suggested that the traffic signals at Knowles and Summit Avenues be synchronized with the light at Connecticut and Knowles Avenues.

Jeff Griffith, Vice President of Parkwood Residents Association, stated that their Association has not taken a formal position on the lane reduction; however, they do support Council Member Friedson's emphasis to have MCDOT conduct an analysis to improve safety measures with the least negative impact. Mr. Griffith suggested other traffic calming measures be considered including enlarging the sidewalk; installing an island; making the crosswalk more visible; adding a pedestrian signal; and reducing the speed limit.

Charlie Smith stated that he disagreed that the removal of the second travel lane would affect traffic within Parkwood and noted that the second travel lane made conditions unsafe for pedestrians along Summit Avenue.

Kevin Jones stated that the current configuration was dangerous and supported a review for additional traffic calming measures.

Jamie Keller stated that he was concerned by the process not to include the community prior to the changes in 2017 and noted the importance of the situation with respect to pedestrian safety.

Jessica Chertow stated that the crosswalk is very dangerous at dusk and needs better lighting to help identify pedestrians.

Council Member Bartram suggested writing a letter to MCDOT to affirm a tentative agreement made with the County at the April 16th meeting, which included the removal of the fall 2017 changes; the request for uniform traffic calming along Cedar Lane and Summit Avenue between Kensington and Parkwood; improvements to the existing sidewalk to allow greater pedestrian safety; and confirmation that the Master Plan depicts only one travel lane between Brookfield Drive and Prospect Street.

Council Member Hill-Zayat noted that she was not available for the April 16th meeting with MCDOT; and while she does not want to compromise pedestrian safety, she wanted a clearer understanding of the changes MCDOT was proposing from the current configuration, and requested that a formal traffic study be completed, prior to moving forward with a letter.

Council Member Bartram stated that neighboring communities are commenting on the proposed changes along Summit Avenue to MCDOT and noted the importance of providing the Town's position through the letter. See Council Actions.

Town Manager Daily stated that he is coordinating with the State Highway Administration (SHA) on implementing the pedestrian island ("plug") at the intersection of University Boulevard and Farragut Avenue.

Council Member Bartram requested temporary delineator flex-posts be placed in the form of the plug while waiting for clarification from SHA.

Mayor Furman stated that the Greenscape Committee will be moving forward with the new window displays at Safeway, along Armory Avenue; is working with Dr. Ho, DDS, and an artist to paint a mural along the side of 10405 Montgomery Avenue; noted that the developer 10619 Connecticut Avenue had withdrawn their application for the proposed Kensington Square Self Storage project; is working with staff to lease the Konterra property adjacent to the train station for a future dog park; 10400 Connecticut Avenue will be renovating their parking garage; the County Risk Management Division is reviewing the HOC gym, which will be opening soon for youth basketball, and will be providing clarification on whether space will be made available for other gatherings; the St. Paul Park pavilion has been approved by County DPS; and noted the upcoming meetings and events: MML Chapter Meeting, May 16th; Montgomery County Parks Meeting, May 14th; Paper Airplane Day, May 19th; and the 125th Anniversary Picnic at Kensington Cabin Park, June 2nd.

Mayor Furman noted that the Town Election will be held on June 3rd. Council Members Darin Bartram and Conor Crimmins will be running for reelection unopposed; however, a meet and greet will be scheduled prior to the Election.

Council Member Bartram reported that the Traffic Committee will convene on May 14th.

Mayor Furman thanked Eli Sola-Sole and the many volunteers for a successful Day of the Book Festival, along with Linda Blackburn and Ann Stone for Gala's craft fair; and Mark Hudson for Shred-It Day and the Dog Parade.

Council Member Rollins reminded Residents that Food Truck Night will be returning every first and third Thursday beginning in May and lasting through October.

Council Member Crimmins reported that he attended the MCPS boundary analysis community meeting on April 23rd, along with Mayor Furman, and noted that MCPS will be hiring an independent consulting firm to evaluate the existing boundaries County wide and review how to better manage enrollment. The study will take a year to complete and additional information on the meeting will be provided within the May Around Town Journal. Mr. Crimmins also noted the importance of Town Residents engaging in the boundary discussion through their local PTA.

From the Town Manager and Staff

Update from the April 22nd Work Session

Assistant Town Manager Hoffman noted that Town Attorney Ferguson provided clarification on the requirements for a Parking District, which typically involves a local jurisdiction providing funding by either general obligation bonds or a tax and fee to pay for the parking structure. Ms. Ferguson also noted that shared parking is typically between private businesses and does not involve a local jurisdiction.

Town Manager Daily stated that the Council was provided a Memo from Town Attorney Ferguson outlining the process to proceed with Amending the Town Charter to allow 16-year-olds to vote in Town Elections.

The Council discussed the language provided by Town Attorney Ferguson for the proposed Petition to allow 16 – and – 17-years-olds to vote within Town Elections. The Council noted that if the Petition receives signatures from 20 percent of the registered voters within the Town, the Council will either initiate a Charter Amendment (a Public Hearing would be held) or elect to place the proposed Amendment to referendum. See Council Actions.

Public Appearances

Al Lacey thanked everyone who helped make the Day of the Book Festival so successful and noted that, Mr. Simpson, a longtime Resident and property manager of the Fawcett Street Apartments, recently passed away.

Jack Gaffey thanked all for the wonderful Day of the Book Festival and requested information on the paving of the HOC parking lot on the previous green space.

Mayor Furman stated that HOC paved over the green space in an effort to provide additional parking; and noted that a permit should have been filed with the Town. Once HOC moves to their new location (within three years), the Town will require the removal of the additional parking area.

Jessica Chertow asked if the Town needed any help with the proposed dog park; wanted to confirm that the marking at the intersection of Knowles Avenue and Detrick Avenue were to signify a 'Do Not Block' and not a crosswalk; and questioned if the proposed reopening of Woodward High School would result in a boundary study.

Ordinances, Resolutions, Regulations

Ordinance No. O-02-2019 – An Ordinance adopting the Town’s Operating and Capital Budget for Fiscal Year 2019-20 (FY20) and levying a tax on all assessable property within the Town was adopted. The comment period ended at 4 pm on May 10, 2019 and no public comment was received. See Council Actions.

Ordinance No. O-03-2019 – An Ordinance Amending Chapter VI, “Article 1, “Signs and Solicitors”, Sections 6-101, “Signs”; 6-102, “Town Sign Permit Required”; 6-103, “Signs in the Public Right of Way”; 6-104 “Signs on Private Property – CRT, CRN and Industrial Zones”; and 6-106, “Enforcement and Penalties” to identify the types of signs that are authorized and are required to be permitted; expand the prohibition on pole signs; to regulate limited duration signs on private property; to clarify that all illuminated signs are regulated in the same manner and to make conforming changes was introduced. *The Public Hearing is scheduled for Monday, July 8, 2019, 7:00 pm.*

Resolution No. R-09-2019 - A Resolution to adopt the Montgomery County Hazard Mitigation Plan (2018) was presented. See Council Actions.

Town Manager Daily noted that the Town is required to adopt the County’s Hazard Mitigation Plan in order to receive MEMA or FEMA funding if a disaster happens.

Council Actions

Council Member Rollins moved to approve the Town Meeting Minutes from April 8, 2019 as amended. The motion passed unanimously.

Council Member Crimmins moved to approve the Work Session Minutes from April 22, 2019. The motion passed unanimously.

Council Member Bartram moved to support writing a letter to MCDOT that traffic calming measures in December 2017 should not have been removed without engaging the Town; the Town deserves same traffic calming that exists in Parkwood, Chevy Chase View, Kensington Estates; the current situation of curb lane, sidewalk, and crosswalks are dangerous; and the Town supports master plan that call for one lane in each direction. The motion passed 3 to 1. Council Member Hill-Zayat opposed the motion.

Council Member Hill-Zayat moved that in the event a petition is presented to the Town proposing the amendments to allow sixteen years of age to vote, and the Council verifies that the petition contains the signatures of 20% of the registered voters in the Town, then the Council may approve of the amendments in the petition as presented, and proceed in the same manner as if the

amendment had been initiated by the Council. The motion passed 3 to 1. Council Member Rollins opposed the motion.

Council Member Rollins moved to adopt Ordinance No. O-02-2019 adopting the Fiscal Year 2019-20 (FY20) Budget. The motion passed unanimously.

Council Member Bartram moved to introduce Ordinance No. O-03-2019 Amending Chapter VI, Article I, “Signs and Solicitors”, Sections 6-101, “Signs”; 6-102, “Town Sign Permit Required”; 6-103, “Signs in the Public Right of Way”; 6-104, “Signs on Private Property – CRT, CRN and Industrial Zones” and 6-106, “Enforcement and Penalties” to identify the types of signs that are authorized and are required to be permitted, expand the prohibition on pole signs, to regulate limited duration signs on private property, to clarify that all illuminated signs are regulated in the same manner and to make conforming changes. *The Public Hearing was set for Monday, July 9, 2019, 7:00 pm.* The motion passed unanimously.

Council Member Rollins moved to approve Resolution No. R-09-2019 to adopt the Montgomery County Hazard Mitigation Plan (2018). The motion passed unanimously.

Council Member Hill-Zayat moved to adjourn the meeting at 8:59 p.m. The motion passed unanimously.