

December 10, 2018 Town Council Meeting

- Approved the Town Meeting Minutes from November 5, 2018.
- Approved a Sign Variance for Kensington Jewelers at 3720 Farragut Avenue.
- Approved revising the Town's Guidelines and Procedures for installing Speed Bumps.
- Adopted Resolution No. R-17-2018 – A Resolution to authorize the Town Manager to execute a contract with Ecology Services Refuse & Recycling to provide Refuse, Recycling, Yardwaste, and Bulk collection services for the Town of Kensington.

Town Meeting 7:05 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 November 5, 2018 were reviewed and approved. See Council Actions.

Council Members Crimmins and Hill-Zayat attended the Audit Committee meeting held prior to the Council Meeting and noted that the Audit report will be presented at the January meeting.

Development Review Board Updates

Mayor Furman provided an update on the proposed Kensington Square Self Storage (10619 Connecticut Avenue) project.

Erin Girard, Linowes and Blocher, who represents the developer for Kensington Square Self Storage, was present and requested that the Town continue to maintain an open dialogue with regards to the project. Ms. Girard noted that the developers have made revisions from the original plan to include a potential restaurant and artisan spaces, and that they look forward to continued feedback and direction from the Town.

Mayor Furman and the Council noted that the development team has been responsive to their comments and have worked to improve the plan; however, they still have concerns with the project as it does not meet the intended use within the Sector Plan and will require additional assurances with respect to the floor plans and potential tenants.

Mayor Furman noted that the Development Review Board (DRB) will meet December 12th, 7 pm, to review the updated design plans for the Knowles Manor Senior Housing project. The developers of the project have also stated that a community meeting will be held in January 2019. Mayor Furman also updated the Council on the proposed Knowles Station Townhouse project, which is currently early in the design phase; and noted that the Historic Preservation Commission (HPC) has approved the Solera Senior Living's HAWP application and will go before the Planning Board on December 20th.

Variance Hearing for 3720 Farragut Avenue

A Sign Variance for Kensington Jewelers (3720 Farragut Avenue) was held. The business owner was not present.

Town Manager Daily stated that the illumination within the proposed sign creates a halo effect, which does not meet the Town's requirements for illumination as specified within the Code.

The Council discussed the proposed sign and concurred that while the sign was aesthetically pleasing and would most likely be allowed under staff proposed amendments to the sign ordinance, the sign was still in violation of the Town's sign illumination regulations and requires a variance.

Council Members Hill-Zayat and Rollins noted that even with the proposed amendments to the sign ordinance, the variance should not be approved without consideration to the Town's existing regulations.

Assistant Town Manager Hoffman noted that the sign will be positioned towards University Boulevard and will not face any residential properties; however, the sign will still be required to be turned-off at the close of business or 10:00 pm, whichever occurs first. Mr. Hoffman continued that the sign is allowed under the County's regulations and that Town staff is recommending the sign's approval.

Council Member Hill-Zayat stated that the issue for her was not the aesthetics of the sign, but that the Council should do their due diligence by correcting the problems within the sign ordinance first, instead of granting variances.

Council Member Rollins asked if the sign, along with all existing signs at the business, met the sign allowance calculations; and if the existing banner sign would be removed if the halo sign was approved.

The Council discussed approving the sign variance with conditions that required all banners be removed.

Jack Gaffey stated that he has rarely seen a variance request not approved and noted that he does not support the sign being illuminated when the business is not open.

Council Member Bartram stated that variances, if approved, are typically granted with conditions after working with Town staff.

Leslie Olson referenced an American Medical Association study that discussed the importance of shielding light to reduce the effects and suggested that this be considered when revising the sign ordinance; she also stated that lights should not be illuminated 24/7 and be dimmable.

See Council Actions.

From the Town Manager and Staff

Town Manager Daily introduced proposed revisions to the Town's Policy Guidelines for Speed Humps.

Council Member Bartram explained that under the current Guidelines, a petition for a speed hump requires signatures from an adjacent block to be included, even if the specific block is separated from an intersection. Mr. Bartram stated that the proposed revisions would change this requirement, along with additional conforming changes to clearly identify policies and procedures.

The Mayor and Council discussed the Town's Policy Guidelines for Speed Hump installations. See Council Actions.

Council Member Crimmins thanked all who helped with the successful Christmas Tree and Menorah Lighting events, especially Mayor Furman and Assistant Town Manager Hoffman.

Public Appearances

Jack Gaffey informed the Council and Residents of three upcoming astronomical events in December.

Joe Campbell thanked the Town Crew for the great leaf collection this season; noted that he was pleased to see descending viewpoints among the Council with regards to the sign variance discussion; and suggested sending out the Town Journal earlier since he received his after the events.

Jim Cooper questioned the status of hiring Montgomery County Police Officers as part time employees, in a similar fashion to neighboring jurisdictions.

Town Manager Daily will review the associated costs and benefits of hiring police officers as part time employees and report the findings at the February Council Meeting.

Jim Keller noted the recent lane changes along Summit Avenue and expressed his concern with the narrow lanes and lack of distance between the curb and travel lanes.

Mayor Furman stated that the Town would send a letter to the County regarding the recent traffic calming measures along Summit Avenue.

Council Member Bartram stated that he would pass along the background information with regards to the County's decision to make the changes.

Ordinances, Resolutions, Regulations

Resolution No. R-17-2018 – A Resolution authorizing a contract with Ecology Services Refuse & Recycling, LLC, for Refuse and Recycling Services was presented for approval. See Council Actions.

Town Manager Daily stated that the Town was notified by our current contractor, AA Refuse, that

they would no longer provide services to the Town beginning January 1, 2019. Mr. Daily noted that he reached out to a few contractors that had previously bid on our collection contracts over the years and is recommending that the Council accept the contract offer with Ecology Services, as the three-year pricing is competitive with AA Refuse and is less than the second lowest bid the Town received in 2016.

Council Member Rollins suggested that the Town consider moving to once a week trash.

Jon Gerson questioned if the Town's new contractor would be offering benefits to their employees comparable to the previous contractor.

Leslie Olson asked if recycling would remain single stream and if the Town has considered offering a compost collection.

Jack Gaffey noted that he appreciated AA Refuse work these past two years.

Joe Campbell asked if the Town could elaborate on why AA Refuse would no longer be providing collection services within the Town and if they were going out of business; asked how it was determined that the Ecology pricing was competitive; questioned if the contract included a performance standard; and if there has been any consideration into returning to in house collections.

Town Manager Daily explained that the owner of AA Refuse did not go into specifics with regards to future business plans when ending the contract; however, he noted that the process was in accordance with the terms of separation within the agreement. Mr. Daily also stated that Ecology's pricing was deemed competitive by comparing the three-year pricing totals with the most recent 2016 bids. Had Ecology bid in 2016, they would have had the second lowest bid, just behind AA Refuse.

Council Actions

Council Member Rollins moved to approve the Town Meeting Minutes from November 5, 2018. The motion passed unanimously.

Council Member Bartram moved to approve a sign variance for an illuminated sign at 3720 Farragut Avenue, with the condition that there are no banners inside the windows or on the exterior of the building. The motion passed 3 to 2. Council Members Hill-Zayat and Rollins voted against the motion. Mayor Furman voted in favor of the variance.

Council Member Bartram moved to approve the revised Speed Hump Guidelines and Procedures. The motion passed unanimously.

Council Member Bartram moved to adopt Resolution No. R-17-2018 to authorize the Town Manager to execute a contract with Ecology Services Refuse & Recycling to provide trash, brush, recycling, and bulk collection services to the Town. The motion passed unanimously.

Council Member Hill-Zayat moved to adjourn the meeting at 9:23 p.m. The motion passed unanimously.