

December 9, 2019 Town Council Meeting

- Approved the Town Meeting Minutes of November 18, 2019.
- Reviewed the proposed Alcohol Legislation bill (MC 15-20) to amend the Town's Alcohol laws with certain conditions. The Council will provide additional comments to Town staff by December 18, 2019.
- Acknowledged receipt of the Audit Committee's Report for Fiscal Year 2018-2019 (FY19).
- Accepted the Development Review Board (DRB) Guidelines as a formal document.
- Continued 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. The Council will provide additional comments to the Town staff by December 18, 2019 for review at the January 13, 2020 Council Meeting.
- Introduced Ordinance No. O-04-2019 - An Ordinance Amending Chapter VII, "Public Health, Safety, and Conduct", Article 5, "Animals", by repealing and re-enacting Section 7-502, "Owners Responsible for Curbing of Animals", and Section 7-503, "Control of Vicious Animals"; and by adding Section 7-504, "Unwanted Contact", Section 7-505, "Animal Noise", Section 7-506, "Dangerous Animals", and Section 7-507, "Dog Exercise Area", and otherwise make conforming changes. The Public Hearing was set for January 13, 2020, 7:00 pm.

Town Meeting December 9, 2019, 7:00 p.m.

Mayor Furman, Council Members 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 18, 2019 were reviewed and approved. See Council Actions.

From the Mayor and Council

Alcohol Legislation

The Council reviewed the proposed amendments to the Alcohol legislation (MC 15-20) following changes by the Town Attorney. The Council requested clarification on the number of beer and wine tasting (BWT) licenses to be issued, along with the number of distillery licenses. The Council will continue to review the proposed legislation and provide comments to the staff by December 18, 2019.

Marshall Presser noted a State law prohibiting distilleries within 500 feet of a residence, which may limit the number of possible locations.

Traffic Committee Update

Council Member Bartram reported the Traffic Committee met on December 4th to discuss and review the following topics: 1) reviewed the radar recording data for Farragut Avenue and determined that a second speed hump was not necessary at this time due to the reduction in speed following the installation of the quick curb; 2) discussed moving the existing time restrictions on the north side; 3) discussed establishing a priority list for enforcement of the Town's code and vehicles regulations; 4) staff will prepare a petition on behalf of a resident interested in removing the 'No Left Turn' restriction at Kensington Parkway and Kent Street; 5) staff has prepared a petition for a resident that is interested in changing Decatur Avenue from One-Way traffic to Two-way traffic; 6) and discussed addressing pedestrian safety and ADA accessibility throughout the Town.

Mayor Furman thanked Trevor Crowley for joining the Traffic Committee.

Development Review Board Update

Council Member Crimmins reported the Development Review Board (DRB) met on November 19th with the developer of Knowles Station to discuss a proposal to build six residential townhomes at 4000 Knowles Avenue. The developer suggested that two of the six units are initially being proposed as age restricted; however, this will most likely change once the building moratorium is lifted by the County. The developer also held a Community Meeting on December 2nd, as required by County Planning, and continues to look for feedback from the community on the proposed project.

Mayor Furman stated that the proposed townhome project may be developed by right in accordance with the 2012 Kensington and Vicinity Sector Plan.

Tamara Kucik, Kensington Estates Civic Association, requested clarification on the project and whether the Town has taken a position.

Council Member Crimmins stated that no position on the project has been taken by the Town, as the project is in a preliminary phase and has not filed any formal plans.

Nimrod Levy, 4000 Knowles Avenue, stated that he currently has a contract in place with the developer to sell the property.

Jackie Pickard asked if parking and traffic concerns are taken into consideration when reviewing a potential development project.

Mayor Furman and Council Member Crimmins noted that County Planning reviews plan proposals to determine if parking requirements are met prior to any approval; and also stated that no public parking spaces have been assigned along Kaiser Place for the proposed 4000 Knowles townhome project.

Council Member Crimmins presented the revised Development Review Board Guidelines and Questionnaire for Council review.

Mayor Furman suggested the Questionnaire be accessible online and adding a revision date to the Guidelines document to help with keeping track of future revisions, if necessary.

Council Member Rollins suggested that a defined legal review be added to the Guidelines document to allow the Town Attorney an opportunity to review a proposed project prior to Council review.

The Council accepted the Development Review Board (DRB) Guidelines.

Council Updates

Council Member Rollins noted the site line concerns with the fencing at the Modena construction site, as the screening banners obstruct the view of pedestrians and vehicles at St. Paul Street.

Assistant Town Manager Hoffman noted that the State Highway Administration has been advised of the issue and that their team will review the site and work with the construction company.

Council Member Crimmins thanked the Town staff for organizing the annual Christmas Tree Lighting, along with the Public Works Crew for their efforts during leaf collection; and reminded Residents of the ongoing MCPS boundary analysis meetings.

Mayor Furman noted that the deadline for additions or edits to the 2020 Town Directory is December 20th; thanked the Kensington businesses for the annual Holiday Open House along Howard Avenue, in addition to Johnson's Shopping Center for their event; noted the December 23rd Caroling Around the Fountain event at Flinn Park; stated that the Town's coloring book highlighting historical locations is almost complete; noted the Greenscape Committee continues to work on the banner project; and that the K-Town Ladies Guild is planning a 100th Anniversary of the 19th Amendment to the Constitution.

Town Manager Daily presented the Audit Committee's Report accepting the audited financial statements for the year ended June 30, 2019 along with their Supplementary Statement of Comments and Recommendations. Town Manger Daily noted that some of the other areas suggested for review would require a change in the Town Charter to expand the duties of the Auditing Committee.

Mayor Furman thanked Town Manager Daily for his years of service to the Town and wished him well in retirement.

Public Appearances

Jack Gaffey stated that he enjoyed the Holiday Open House; appreciated the newly painted crosswalks and stop bars along Kensington Parkway; thanked Town Manager Daily for all that he has done for the Town; and reminded Residents of the Geminid Meteor Shower on December 14th.

Ordinances, Resolutions, Regulations

Ordinance No. O-03-2019 – 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 continued.

The Council corrected typographical errors within the text and questioned the language to remove existing pole signs; requested clarification on limited duration signs, including the number; clarified that commercial leasing banners would be classified as limited duration signs; and asked that the interior window coverage language have greater clarity.

The Council will provide additional comments to staff by December 18th for review at the January Council Meeting. There was no public comment.

Ordinance No. O-04-2019 -

Ordinance No. O-04-2019 - An Ordinance Amending Chapter VII, “Public Health, Safety, and Conduct”, Article 5, “Animals”, by repealing and re-enacting Section 7-502, “Owners Responsible for Curbing of Animals”, and Section 7-503, “Control of Vicious Animals”; and by adding Section 7-504, “Unwanted Contact”, Section 7-505, “Animal Noise”, Section 7-506, “Dangerous Animals”, and Section 7-507, “Dog Exercise Area”, and otherwise make conforming changes was introduced. The Public Hearing was set for January 13, 2020, 7:00 pm. See Council Actions.

Assistant Town Manager Hoffman noted that the Ordinance is intended to establish and regulate the Kensington Dog Run and to clarify language pertaining to animal restrictions, which defers to County Animal Control in most instances.

Council Actions

Council Member Rollins moved to approve the Town Meeting Minutes from November 18, 2019. The motion passed unanimously.

Council Member Crimmins moved to introduce Ordinance No. O-04-2019 Amending Chapter VII, “Public Health, Safety, and Conduct”, Article 5, “Animals”, by repealing and re-enacting Section 7-502, “Owners Responsible for Curbing of Animals”, and Section 7-503, “Control of Vicious Animals”; and by adding Section 7-504, “Unwanted Contact”, Section 7-505, “Animal Noise”, Section 7-506, “Dangerous Animals”, and Section 7-507, “Dog Exercise Area”, and otherwise make conforming changes; and set the Public Hearing for January 13, 2020. The motion passed unanimously.

Council Member Rollins moved to adjourn the meeting at 8:18 p.m. The motion passed unanimously.