

## November 18, 2019 Town Council Meeting

- Approved the Town Meeting and Work Session Minutes of October 7, 2019.
- Approved the Special Town Council Meeting and Work Session Minutes of October 28, 2019.
- Approved the Closed Session Minutes of September 9, 2019.
- Discussed and reviewed the proposed draft Alcohol legislation bill (MC 15-20) to adopt Montgomery County's Alcohol laws with certain conditions. Additional amendments will be made by the Town Attorney prior to the December 2, 2019 Montgomery County Delegation Public Hearing.
- Approved a request by Spring Bilingual Montessori School for the placement of a storage shed within St. Paul Park.
- Adopted **Resolution No. R-20-2019** – A Resolution of the Mayor and Town Council to approve a Debris Management Plan Memorandum of Understanding between the Town of Kensington and Montgomery County.
- Adopted **Resolution No. R-21-2019** - A Resolution of the Mayor and Town Council proclaiming November to be Municipal Government Works Month in Kensington, Maryland.

### Town Meeting November 18, 2019, 7:07 p.m.

Mayor Furman, Council Members Bartram, Crimmins, Hill-Zayat, and Rollins; Town Attorney Ferguson; Assistant Town Manager Hoffman; and Clerk-Treasurer Engels were present. Town Manager Daily was necessarily absent. The Pledge of Allegiance was recited, and a moment of silence was observed.

The Town Meeting and Work Session Minutes from October 7, 2019; the Special Town Council Meeting and Work Session Minutes from October 28, 2019; and the Closed Session Minutes from September 9, 2019 were reviewed and approved. See Council Actions.

### From the Mayor and Council

#### Alcohol Legislation

Town Attorney Ferguson discussed and reviewed the draft Alcohol legislation (MC 15-20), which will amend the Town's existing alcohol regulations.

Kathie Durbin and Ron Price, Montgomery County Department of Alcohol Beverage Services, were present to discuss and answer questions regarding the draft legislation.

The proposed changes within the draft legislation include removing the geographical restrictions for licenses; allows for additional classes and licenses; amends the aggregate of Class A and Class D licenses from four to eight; and removes the limit of Class B licenses issued within the Town.

Sean Gaiser, GIG'S Guitar Studio, commented that the proposed amendments would allow him to obtain a one-day license by partnering with a non-profit to continue live music events within the GIG'S courtyard.

The Council discussed how best to regulate alcohol signage and concurred to keep the regulations within the legislation.

Town Attorney Ferguson will continue to work with Kathie Durbin to revise the draft legislation prior to the December 2, 2019 Montgomery County Delegation hearing. The draft legislation will be reviewed at the December Town Council meeting.

### Spring Bilingual Montessori School Storage Shed

Diann Sanderson, Head of Spring Bilingual Montessori School, was present to request the school be allowed to place a storage shed within St. Paul Park to allow easier access to toys and equipment. The shed would be approximately 8 feet wide by 4 feet deep and 6 feet tall and positioned in an open space along the fence.

Council Member Rollins suggested adding step pavers between the gate and the shed and questioned the security of the shed.

Leslie Olson spoke in opposition to allowing the shed in a public park, which she stated would establish a precedent by allowing commercial ventures to encroach on public parks and asked if the Montessori school had contacted the storage facility next door.

Ms. Sanderson stated that they have not had success in contacting the storage facility.

The Council suggested a wooden shed with asphalt shingles and supported the request by asking the Town Attorney to amend the existing MOU agreement. See Council Actions.

Mayor Furman announced the retirement of Town Manager Daily effective December 31, 2019 and read a letter from Mr. Daily thanking the Town for his twelve years as Manager. Mr. Daily will serve as a consulting employee through March 31, 2020. Assistant Town Manager Hoffman will be Acting Town Manager effective January 1, 2020.

Al Lacey stated that Town Manager Daily will be missed.

Mayor Furman noted that the perimeter fence at the Kensington Dog Run has been completed and the park is now open; additional improvements will be made in the coming months.

Council Member Crimmins stated that the Development Review Board (DRB) will be meeting November 19, 7:00 pm, to review the proposed townhome project at 4000 Knowles Avenue. The applicant will also hold a community meeting on December 2, 7:30 pm, which is independent of the Town.

Council Members Crimmins and Hill-Zayat stated that the Audit Committee convened for their annual meeting and suggested the following: meet in the spring to review information prior to the audit's completion; discuss relationship of the Audit Committee and the Auditor; and review the Town's investments. A report will be provided by the Committee at an upcoming meeting.

Council Member Bartram stated a Traffic Committee meeting will be held on December 4, 7:00 pm, and noted that there was a request to remove the existing time restriction at the intersection of Kensington Parkway and Kent Street. Council Member Bartram noted that the general consensus is that a majority of the residents support the restrictions, and that there is no formal process to review this request.

Council Member Rollins appreciated the striping of the train station parking lots.

Council Member Crimmins stated that the closing of Farragut Avenue, in addition to Perry Avenue, for Scary Perry worked well; and noted that MCPS will hold upcoming meetings throughout the County with regards to the district wide boundary analysis, and the Walter Johnson Cluster meeting will be held January 7.

Mayor Furman reminded residents of the following: Town Dance on November 27<sup>th</sup>; the Town Offices will be closed on November 28<sup>th</sup> and 29<sup>th</sup>; the Christmas Tree Lighting will be held on December 1<sup>st</sup>, 5:30 pm; the Holiday Open House and Johnson's Holiday Market will be held on December 6<sup>th</sup>; the Menorah Lighting will be held on December 22<sup>nd</sup>, 5:00 pm; Caroling Around the Fountain will be held on December 23<sup>rd</sup>; and that she is working with staff on new regulation signs for Town Parks.

Council Member Rollins asked for clarification on revenues pertaining to the Town's Safe Speed Camera.

Town Attorney Ferguson explained that Montgomery County amended the contract agreements a few years ago that prevented multi-party agreements. Previously, the Town shared revenues with Chevy Chase View on the two cameras; however, the revenues are now stand-alone as determined by each municipality's individual camera.

## **Public Appearances**

Jack Gaffey stated that he opposes removing the left turn time restriction on Kensington Parkway at Kent Street, as the sign was placed there after a traffic study; and noted that the Leonid meteor shower was that evening.

Leslie Olson stated that the area partially owned by the Town and the townhouse development by Oberon Street was cleared and looks great; and suggested the Town have a representative from Compost Crew attend an upcoming meeting to discuss their program.

The Council discussed composting and the existing collections contract with Ecology Services. The Council concurred to have staff contact neighboring jurisdictions to review their composting programs and to contact Compost Crew to attend a future meeting.

## **Ordinances, Resolutions, Regulations**

**Resolution No. R-20-2019** – A Resolution of the Mayor and Town Council to approve a Debris Management Plan Memorandum of Understanding between the Town of Kensington and Montgomery County was presented. There was no public comment. See Council Actions.

Assistant Town Manager Hoffman noted that the MOU was a revision to the previous contract and is necessary to recoup FEMA funds in case of a disaster that requires debris management.

**Resolution No. R-21-2019** – A Resolution of the Mayor and Town Council proclaiming November to be Municipal Government Works month in Kensington, Maryland was presented. There was no public comment. See Council Actions.

## **Council Actions**

Council Member Rollins moved to approve the Town and Work Session Meeting Minutes from October 7, 2019. The motion passed unanimously.

Council Member Crimmins moved to approve the Town and Work Session Meeting Minutes from October 28, 2019. The motion passed unanimously.

Council Member Rollins moved to approve the Closed Meeting Minutes from September 9, 2019. The motion passed unanimously.

Council Member Crimmins moved to approve the staff to work with the Spring Bilingual Montessori School to design an appropriate shed for the placement at St. Paul Park. The motion passed unanimously.

Council Member Rollins moved to adopt Resolution R-20-2019 – A Resolution of the Mayor and Town Council to approve a Debris Management Plan Memorandum of Understanding between the Town of Kensington and Montgomery County. The motion passed unanimously.

Council Member Rollins moved to adopt Resolution R-21-2019 – A Resolution of the Mayor and Town Council proclaiming November to be Municipal Government Works month in Kensington, Maryland. The motion passed unanimously.

Council Member Bartram moved to adjourn the meeting at 9:35 p.m. The motion passed unanimously.