

February 10, 2020 Town Council Meeting

- Approved the Town Meeting Minutes of January 13, 2020.
- Approved the Special Town Meeting Minutes and Work Session of January 22, 2020.
- Introduced Ordinance No. O-01-2020– Introduction of an Ordinance of the Mayor and Town Council 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 March 9, 2020 at 7 pm.
- Adopted 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 Ordinance will be effective March 1, 2020.
- Adopted Resolution No. R-01-2020 approving the appointment of Matthew Hoffman as Town Manager with terms and conditions.

Town Meeting February 10, 2020, 7:00 p.m.

Mayor Furman, Council Members Bartram, Crimmins, Hill-Zayat, and Rollins; Acting Town Manager Hoffman; and Clerk-Treasurer Engels were present. The Pledge of Allegiance was recited, and a moment of silence was observed for former Town Council Member Chris Tucker, and Marianne Lyons, who both passed away.

The Town Meeting Minutes from January 13, 2020 and the Special Town Meeting Minutes from January 22, 2020 were reviewed and approved. See Council Actions.

From the Mayor and Council

Local Advisory Panel

Mayor Furman stated that following further discussion at the January 22, 2020 Special Town Meeting, the Council concurred to move forward with establishing a formal committee to absorb the responsibilities of the Local Advisory Panel (LAP) to provide administrative structure to the LAP.

Council Members Crimmins and Hill-Zayat will meet with the LAP to determine the guidelines for the formal committee.

Montgomery County Pesticide Law

Mayor Furman stated that the Council has concurred to hold off on considering adoption the County's Pesticide Law until next year, as this will allow the County to establish an effective educational and enforcement program of the regulations.

Community Composting

Council Member Crimmins reported that he, along with Acting Town Manager Hoffman, met with a representative from Compost Crew to discuss their municipal collection program. Currently, the Town is included within a pilot program that allows for a reduced cost to residents; however, the Town is looking at way to help expand resident participation to reduce these costs even more. Council Member Crimmins noted that the Town will work with Compost Crew to promote the composting program.

Leslie Olson noted that there is a price break for Town residents once they reach 50 active members; there are currently 30 residents participating in the Compost Crew program.

John Oppenheim asked if the compost collected was available back to residents or the Town.

Council Member Crimmins stated that Compost Crew currently does not have the capability to provide a full loop system with their compost collections; however, they do make compost available to residents, if requested.

From the Mayor and Town Council

Council Member Bartram reported that he will be scheduling a Traffic Committee meeting in March to discuss modifications to the north side traffic restrictions; noted that he spoke with Safeway's Manager about installing an electronic fence to keep shopping carts from exiting the premises, and that Safeway's Manager has requested a system from the corporate offices. Council Member Bartram noted that he will continue to follow up with Safeway on the issue.

Council Member Rollins asked if any citations have been issued for the moving vans parking on greenspace at the Potomac Trading Gun & Train shop; and reiterated the need for recycling containers in front of the Sweat Shop.

Council Member Crimmins reported that he met with State Highway representatives on installing a Rapid Flashing Beacon (RFB) system at the crosswalks along Metropolitan Avenue at St. Paul Street and Wheatley Street. The RFB's are expected to be approved later this spring and installation will need to coordinate with the current construction schedule for the Modena by Solera Senior Living project. Council Member Crimmins will follow up with a letter to State Highway.

Mayor Furman thanked Council Member Crimmins for testifying on the Town's behalf for the County Executive's proposed cuts within the County CIP for Parks; noted that the 2020 Town Directory will be mailed this week to Residents; the ExploreKensington.com website will be absorbed by the Town from Maier Warner, as the Town does not plan to renew the existing public relations contract; the K-Town Ladies Guild is planning a centennial celebration of the 19th Amendment, women's suffrage, later this year; the MML Chapter Meeting is schedule for

February 20th and will host County Executive Marc Elrich; and MCPS will be holding a meeting on February 18th at North Bethesda Middle School to discuss existing and future school sites, to include the current Housing Opportunities Commission site at 10400 Detrick Avenue.

From the Town Manager and Staff

Acting Town Manager Hoffman reported that the Town's Gateway sign at St. Paul Street and Perry Avenue was moved further up St. Paul, 10800 block, following the annexation; noted that NZI Construction is schedule to place a base layer of aggregate, along with addition stone dust, at the Kensington Dog Run once weather permits; and that the Town is awaiting pricing to replace a number of crosswalks in Town, including the crosswalk along Kensington Parkway at Kensington Cabin Park.

From the Public

Helen Wilkes confirmed that the Town will be creating a formal committee to house the responsibilities of the Local Advisory Panel (LAP), which will help with administrative structure.

Joe Campbell requested that the 'No Left Turn' restrictions along Kent Street at Frederick Avenue and Kensington Parkway be enforced, as violations persist; noted enforcement data is already available from past police reports; and asked Mayor Furman, Council Member Hill-Zayat, and Council Member Rollins if they have decided to run for re-election.

Mayor Furman stated that she has filed her nomination for re-election.

Council Members Hill-Zayat and Rollins both stated that they will make their decisions at a later date.

Mayor Furman stated that the radar recording device will be placed in the vicinity of Kensington Parkway and Kent Street to capture data pertaining to the "No Left Turn" restriction.

Ordinances, Resolutions, Regulations

Ordinance No. O-04-2019 – An Ordinance to Amend 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 presented for adoption. See Council Actions.

Acting Town Manager Hoffman stated that the Town received three (3) comments, via email, prior to the closing of the Public Hearing, and confirmed that the Town sent an overview of the proposed ordinance to the community outlining the intent of the ordinance. Specifically, the ordinance would establish the Kensington Dog Run (Dog Park) and would formally incorporate Montgomery County's regulations within the Town Code to prevent future complications with respect to enforcement and actual regulations within the Town.

Council Member Bartram stated that he supports the ordinance, as drafted, and that the ordinance does not change any existing regulation within the Town, but rather clarifies enforcement of the regulations.

Council Member Hill-Zayat stated that she does not support the ordinance as it is incorporating regulations that already apply.

John Oppenheim clarified that a dog could still defecate within the public right-of-way, as long as it is disposed of properly.

Leslie Olson clarified the area that is considered the public right-of-way of a resident's property.

Ordinance No. O-01-2020 - An Ordinance of the Mayor and Town Council 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 was reintroduced. *The Public Hearing was set March 9, 2020 at 7 pm.* See Council Actions.

Resolution No. O-01-2020 – A Resolution to approve the appointment of Matthew Hoffman to serve as Town Manager with terms and conditions was presented for adoption. See Council Actions.

Council Member Bartram stated that the Council met in closed session to outline the parameters of a contract and that Council Member Hill-Zayat and he were asked to negotiate the final terms of the agreement, which are encompassed within Resolution No. R-01-2020.

Mayor Furman noted that Mr. Hoffman has a Master's Degree in Public Administration (MPA) and has served the Town since August 2009.

Helen Wilkes commended Mr. Hoffman on his appointment and asked if he would continue to help the Public Works Crew with snow plowing.

Council Actions

Council Member Bartram moved to approve the Town Meeting Minutes from January 13, 2020. The motion passed unanimously.

Council Member Bartram moved to approve the Special Town Meeting Minutes from January 22, 2020. The motion passed unanimously.

Council Member Bartram moved to adopt 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. The motion passed. Council Member Hill-Zayat opposed the motion.

Council Member Bartram moved to introduce Ordinance No. 01-01-2020 – An Ordinance of the Mayor and Town Council 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 and set the Public Hearing for March 9, 2020 at 7 pm. The motion passed unanimously.

Council Member Hill-Zayat moved to approve Resolution R-01-2020 to approve the appointment of Matthew Hoffman as Town Manager with terms and conditions. The motion passed unanimously.

Council Member Hill-Zayat moved to adjourn the meeting at 7:55 p.m. The motion passed unanimously.