

April 12, 2021 Town Council Meeting (held by Zoom Video Conferencing)

- Approved the Town Meeting Minutes of March 8, 2021.
- Presented a Mayoral Proclamation to Helen Wilkes in honor of receiving the 2021 Wayne Goldstein Award for Preservation Advocacy in Kensington, Maryland.
- Concurred to have the Town staff work with the property owner of 10619 Connecticut Avenue in accordance with Section 6-104 (f), “Limited Duration Signs”, of the Town Code until a permanent sign can be installed.
- Concurred sending a general letter of support, to include areas for further review by Montgomery Planning, for the proposed Kensington Crossing development project at 10619 Connecticut Avenue.
- Held a Public Hearing on **Ordinance No. O-02-2021** - An Ordinance to appropriate and adopt the Fiscal Year 2021-22 (FY22) Budget and to levy a tax on certain real and personal property. *The Public Hearing will be left open until 4:00 pm on Friday, May 7, 2021.*
- Approved **Resolution No. R-06-2021** – A Resolution of the Mayor and Council of the Town of Kensington authorizing the Town Manager to enter into a services agreement with Scott Watson, Associates Inc. Lighting and Design, for streetlight consulting.
- Approved **Resolution No. R-07-2021** – A Resolution of the Kensington Town Council to Confirm the Mayor’s Appointments to the Development Review Board (DRB).
- Approved **Resolution No. R-08-2021** – A Resolution of the Mayor and Council of the Town of Kensington demanding that the Montgomery County Executive and County Council approve the proposed amounts of tax duplication funds in the FY22 County Budget totaling \$10,933,731 for transportation as calculated and presented by the Executive’s staff in the “FY22 Municipal Tax Duplication Payment Summary: Revised Methodology” worksheet, and work diligently to negotiate fair payments for the other services and police tax duplication (for the four municipal police departments) rebate for FY23.

Meeting April 12, 2021, 7:03 pm, by Zoom Video Conferencing

Mayor Furman, Council Members Bartram, Crimmins, Engle, and Hill-Zayat; Town Manager Hoffman; and Clerk-Treasurer Engels were present via Zoom Video Conferencing. A moment of silence was observed for Carole Richardson who passed away and Gloria Capron’s mother, Angelina Corvelli.

Council Member Engle spoke in remembrance of his neighbor Carole Richardson.

The Town Meeting Minutes from March 8, 2021 were reviewed and approved. See Council Actions.

From the Mayor and Council

Mayor Furman announced that three candidates have filed for Council Member for the upcoming Town Election on Monday, June 7, 2021; Darin Bartram (incumbent), Conor Crimmins (incumbent), and Tim Willard. A certificate of nomination may be filed until May 10, 2021 at 4 pm; and noted that the Candidate Forum is scheduled for May 25, 2021 at 7 pm, via Zoom.

Mayor Furman presented a Mayoral Proclamation to Helen Wilkes in honor of her receiving the Wayne Goldstein Award for Preservation Advocacy in Kensington.

Helen Wilkes stated that she appreciated the Award and recognition from the Town and enjoys helping to preserve the historic character of the entire Town.

Mayor Furman reported that the first phase of the garden improvements at Clum Kennedy recommended by the Greenscape Committee had been completed. A second phase of new plantings will be completed during the fall. The Greenscape Committee is also considering a labyrinth for Josephs Park.

Council Member Bartram reported that the Traffic Committee will convene April 20, at 7 pm, and will discuss reducing the speed limit on Town residential streets to 20 mph, the all-way Stop sign at the intersection of Metropolitan Avenue and St. Paul Street, and provide an update on outstanding petitions related to traffic control restrictions.

Council Member Hill-Zayat reported that testimony was filed on March 3, along with rebuttal testimony on March 31, with regards to the Pepco Rate Case. The Hearing begins on April 26; and noted that the Town's application for charging station locations was not approved and that she will be meeting with Pepco staff to reconsider the application. Council Member Hill-Zayat also noted that her neighbor is need of a kidney donation and that a donation chain has been created; please contact Council Member Hill-Zayat directly for more information at the following email: bridgethillzayat@gmail.com.

Council Member Crimmins reported that the Montgomery County Council approved a Rental Assistance Program for small businesses that have been affected by COVID-19. The Program is geared towards small businesses that rely on foot traffic and the Town will provide additional information once the grant applications have been released by the County; noted that the State Highway Administration has approved the Town's request to keep the All-way stop at the intersection of Metropolitan Avenue and St. Paul Street once construction at Modena Reserve has completed; and that the proposed Rapid Flashing Beacon (RFB) at the intersection of Metropolitan Avenue and Wheatley Street is still under review by the State Highway Administration.

Mayor Furman congratulated Nicole Bourgea on winning the mural design contest for the new Montgomery Parks and Planning building in Wheaton. Ms. Bourgea designed the 'Hold Your Light' mural along the Summit Avenue bridge, along with murals on the Frederick Avenue bridge and the Jubilee building on Howard Avenue; noted that she met with David Gregg at Reinhardt Park to dedicate the wooden statue in his honor; and acknowledged that members from Troop 439 were present at the Council Meeting to earn their Communication Badge.

10619 Connecticut Avenue (Kensington Crossing)

Council Member Crimmins reported that the Development Review Board (DRB) met on March 18 with the developers for the proposed Kensington Crossing project at 10619 Connecticut Avenue. The developers have yet to file an application with Montgomery Planning; however, they

requested feedback from the DRB, which included architectural design, materials, traffic, and parking suggestions.

Mayor Furman stated that the project is currently in the sketch plan phase and there will be multiple opportunities for the public to provide comment during the review process.

Bruce Zavos, Architect for the Kensington Crossing project, provided a presentation of the proposed retail development at 10619 Connecticut Avenue. The presentation and sketch plan are available at the following link: <https://tok.md.gov/redevelopment/>.

Council Member Engle noted the importance of prioritizing bicycle and pedestrian safety with the project; suggested working with the State Highway Administration on redesigning the intersection of Connecticut Avenue, Plyers Mill Road, and Metropolitan Avenue; and encouraged the developers to seek LEED Silver designation.

David Romeo questioned the proposed illumination of the property and concerns about light pollution.

Jody Kreiger noted concerns on committing space to a drive-thru bank and suggested adding a second floor.

Jen Beudet stated the development would be an opportunity to address the intersection; improve the pedestrian safety at the adjacent property; and questioned whether the aesthetics and architecture were appropriate for the Town.

Helen Wilkes suggested incorporating the existing building from the Googie architecture period, into the site; designing a more substantial parapet; and including awnings.

Joe Campbell questioned the reduction in parking spaces in accordance with County requirements; the under illumination of the proposed project; and noted the importance of the project being LEED Silver.

Dave Beudet suggested reviewing the entrances to the property and intersection to avoid use of the adjacent property for cut-thru traffic.

Jack Gaffey commented on the importance of a buffer for Connecticut Avenue and Metropolitan Avenue; preserving dark skies; and suggested the banking drive-thru may need more lanes.

Karen Craig noted the importance of pedestrian and bicycle access to the site and questioned plans for when the bank is no longer a tenant.

Council Member Crimmins stated that he was supportive of the project in the initial stages and the importance of pedestrian and bicycle safety.

Council Member Hill-Zayat noted the importance of the green buffer, awnings, and pedestrian safety.

Council Member Bartram stated he was neutral on the proposed parking waiver variance and questioned how accommodations that are given to the site due to its low intensity of development and size could be revisited if the adjacent property redevelops.

The Council concurred to have Mayor Furman and Town Manager Hoffman draft a letter of general support to Montgomery Planning noting areas for additional review.

The Council concurred to allow the Town Manager to work with the property owner of 10619 Connecticut Avenue on a permanent sign to replace the existing limited duration sign.

From the Town Manager and the Staff

Town Manager Hoffman reported that the Town received 11 bids for the Town Hall Veranda and Parapet repair project and will provide a bid recommendation at a future Council Meeting; noted that Town Attorney Furgeson is preparing a Request for Proposal (RFP) for bridge repair work for the Town's three bridges at Kensington Parkway, Kent Street, and Frederick Avenue; met with the hydraulics engineer with the State and will be drafting an RFP for storm a drain analysis to review the existing storm drain capacity; the variance for 10112 Kensington Parkway is no longer needed as the applicant has amended the plans to stay within the Town setbacks; and that the Kensington Historical Society (KHS) has requested to use the remaining Town grant funds, which were originally for an executive director, who has since resigned, to purchase equipment including a laptop, printer and scanner.

The Council concurred to approve the KHS request for use of the funds for equipment purchases.

Council Member Engle stated the Town has been working on the Bicycle and Pedestrian Priority Area (BPPA) Designation application which was a recommendation of the working group. The BPPA complements the application submitted for the Transportation Land Use Connections (TLC) grant. The BPPA designation will provide more attention and focus for collaborating with the state and county.

Public Appearances

Joe Campbell questioned the amount of the grant for the Bicycle and Pedestrian Priority Area (BPPA); whether there would be a traffic disruption with the upcoming bridge repairs; the area involved in the storm drainage study; and the cause of the Town portico damage.

Council Member Engle stated the Transportation Land Use Connections (TLC) grant is for \$60,000 and the BPPA grant does not come with funding but designates the half square mile a priority area for pedestrian and bicycle improvements.

Town Manager Hoffman stated that the bridge repairs for all three bridges will be done at the same time and that any potential disruptions have yet to be determined; and the storm water drainage study is for the entire Town, but will be broken out by each storm drain line.

Mayor Furman explained the damage to the Town portico was from water drainage.

Jack Gaffey reminded Residents of upcoming astronomical events.

Ordinances, Resolutions, Regulations

Ordinance No. O-02-2021 - A Public Hearing was held on Ordinance No. O-02-2021 to appropriate and adopt the Fiscal Year 2021-22 (FY22) Budget and to levy a tax on certain real and personal property. The Public Hearing record will be left open until 4:00 pm on Friday, May 7, 2021. See Council Actions.

Town Manager Hoffman stated, after meeting with the Council on the budget, there are two changes to the introduced budget which include an addition of \$10,000 for consulting fees for the DRB to hire a planner to review certain projects; and an addition of \$1,500 for the Racial Justice Committee.

Joe Campbell questioned what happens to the substantial savings this year in Public Works and Town Government operations; requested clarification on the salary ranges listed for FY22; noted the importance of listing the actual salaries which would allow for increased transparency; the status of the Assistant to the Town Manager position; and when street sweeping would resume and suggested posting a notice for street sweeping.

Town Manager Hoffman explained that any surplus from the previous year is reallocated in the budget the following year, usually to the Capital Improvements Program (CIP) for infrastructure; the salary ranges show the minimum and maximum range and most employees are closer to the mid-point based on seniority; the salary schedule is available upon request; the suggestion for additional salary information will be considered the following year; the Assistant to the Town Manager position was approved for FY21 by the Mayor and Council and filling the position was delayed until the certainty of revenues was known; and the street sweeping was cancelled last year due to the pandemic and will be rescheduled.

Resolution No. O-06-2021 – A Resolution of the Mayor and Council of the Town of Kensington authorizing the Town Manager to enter into a services agreement with Scott Watson, Associates Inc. Lighting and Design, for streetlight consulting was presented. See Council Actions.

Town Manager Hoffman stated Scott Watson is the consultant evaluating the Town's existing streetlights and helping with the testimony for the Pepco rate case.

Resolution No. R-07-2021 – A Resolution of the Kensington Town Council to Confirm the Mayor's Appointments to the Development Review Board (DRB) was presented. See Council Actions.

Town Manager Hoffman stated Mark Hudson and Leslie Maxam were reappointed for two-year terms ending April 30, 2023.

Resolution No. R-08-2021 – A Resolution of the Mayor and Council of the Town of Kensington demanding that the Montgomery County Executive and County Council approve the proposed amounts of tax duplication funds in the FY22 County Budget totaling \$10,933,731 for

transportation as calculated and presented by the Executive's staff in the "FY22 Municipal Tax Duplication Payment Summary: Revised Methodology" worksheet, and work diligently to negotiate fair payments for the other services and police tax duplication (for the four municipal police departments) rebate for FY23 was presented. See Council Actions.

Town Manager Hoffman stated the Resolution is at the request of Montgomery County Chapter of the MML. He stated the County has not been fair on reimbursing municipalities for services they provide for Residents and the resolution requests that the County Executive put forth a new proposal that would return additional tax funds for transportation and parks.

Council Actions

Council Member Crimmins moved to approve the Town Meeting Minutes from March 8, 2021. The motion passed unanimously.

Council Member Crimmins moved to hold the Hearing open on Ordinance No. O-02-2021 to appropriate and adopt the Fiscal Year 2021-22 (FY22) Budget and to levy a tax on certain real and personal property until May 7th at 4pm. The motion passed unanimously.

Council Member Hill-Zayat moved to approve Resolution No. R-06-2021 authorizing the Town Manager to enter into a services agreement with Scott Watson, Associates Inc. Lighting and Design, for streetlight consulting. The motion passed unanimously.

Council Member Crimmins moved to approve Resolution No. R-07-2021 as amended to extend the appointments made by the Mayor to the Development Review Board of Mark Hudson and Leslie Maxam to April 30, 2023. The motion passed unanimously.

Council Member Bartram moved to approve Resolution No. R-08-2021 demanding that the Montgomery County Executive and County Council approve the proposed amounts of tax duplication funds in the FY22 County Budget totaling \$10,933,731 for transportation as calculated and presented by the Executive's staff in the "FY22 Municipal Tax Duplication Payment Summary: Revised Methodology" worksheet, and work diligently to negotiate fair payments for the other services and police tax duplication (for the four municipal police departments) rebate for FY23. The motion passed unanimously.

Council Member Hill-Zayat moved to adjourn the meeting at 9:25 pm. The motion passed unanimously.