

### **August 9, 2021 Town Council Meeting**

(held by Zoom Video Conferencing)

- Acknowledged there was a Closed Session on July 19, 2021, in accordance with Section 3-305(b)(8) of the General Provisions Article to consult with staff, consultants, or other individuals about pending or potential litigation.
- Discussed Violations of the Code for Limited Duration Signs which will be discussed further at an upcoming Work Session.
- Reviewed a request by the Spirit Club to install a 6'x10' shed that would encroach into the Town's property; a Memorandum of Understanding will be prepared for the September meeting.

### **Town Council Meeting August 9, 2021, 7:01 pm, by Zoom Video Conferencing**

Mayor Furman, Council Members Bartram, Crimmins, Engle, and Hill-Zayat; Town Manager Hoffman; Assistant to the Town Manager Marini; and Clerk-Treasurer Engels were present via Zoom. A moment of silence was observed for Richard Ward who passed away.

### **From the Mayor and Town Council**

Mayor Furman stated that a Closed Session was held on July 19, 2021, following a scheduled Work Session in accordance with Section 3-305(b)(8) of the General Provisions Article to consult with staff, consultants, or other individuals about pending or potential litigation. No actions were taken. See attached form - Statement for Closing a Meeting.

Mayor Furman reviewed Council Committee assignments and liaisons:

**Auditing Committee** - Conor Crimmins and Bridget Hill-Zayat

**Board of Elections** – Darin Bartram

**Ethics Commission** - Nate Engle

**Greenscape Committee** – Jon Gerson (Chair) and Tracey Furman (Co-Chair)

**Development Review Board** – Conor Crimmins (Chair) and Darin Bartram (Co-Chair)

**Traffic Committee** – Bridget Hill-Zayat (Chair) and Nate Engle (Co-Chair)

**Pedestrian and Bicycling Access & Safety Working Group (PBASWG)** will be combined with the Traffic Committee and the combined Committee will be renamed.

Council Member Crimmins will continue to represent the Town as a liaison to Montgomery County Public Schools with regards to redistricting, and will also work with the business community, along with Kariann Zentz and Mayor Furman, on economic development issues.

The Mayor and Council discussed the Town's Limited Duration Sign regulations within Section 6-104(f) of the Town Code, which was amended in February 2020.

Commercial property owners John Blick (3720 Farragut Avenue) and Edmon Benaim (3930 Knowles Avenue), along with Ayesha Murray (3930 Knowles Property Manager) noted their concerns over the Town's regulations pertaining to limited duration signs. They suggested that the

Town allow limited duration signs to be 16 square feet for single-sided signs and 32 square feet for “V” shaped signs and allow greater leniency on the placement of the signs.

Council Member Bartram stated that commercial businesses have relied on the non-enforcement provisions of limited duration signs and suggested revisiting the ordinance but wanted to leave the regulations pertaining to limited duration signs.

Council Member Crimmins stated that other municipalities have created boards to review sign variances and to help guide property owners.

Town Manager Hoffman will provide sign information from the Riddle building for the other property owners.

The Council concurred to discuss possible changes at an upcoming work session.

Town Manager Hoffman stated he received a request from the Spirit Club to install a 6’ x 10’ shed on the north side of the property, which would encroach into the Town’s property.

Henry Scheller, Spirit Club, explained that the organization needed an area to store cleaning supplies due to COVID and that the shed would be placed just outside of the rear door. Mr. Scheller noted that they plan for the shed to be a permanent structure and were willing to work with the Town on items stored within the shed.

Town Manager Hoffman stated that he was not opposed to the placement and that the Town agreed to a similar proposal from Spring Bilingual Montessori Academy, which required a Memorandum of Understanding (MOU).

Council Member Crimmins questioned whether the cleaning supplies would pose any environmental considerations.

Council concurred to support the shed and an MOU will be prepared by the Town Attorney for review.

### **Mainstreet Maryland**

Mayor Furman reported that Council Members Crimmins and Engle, along with Town Manager Hoffman, met with Maryland’s Main Street Project Manager, Christine McPherson, to discuss the Town joining the program.

The Council discussed the requirements of the program, which includes hiring a full-time employee to serve as Main Street Manager and designation as a Sustainable Community. The Council concurred that they did not see an overwhelming benefit to the program based on the costs and dependence on grants to revitalize and market only historic areas.

Council Member Engle noted that the Town is already considered a Sustainable Community because it is included in a broader geography that was previously designated by the State.

However, there is another program administered by the University of Maryland and the Maryland Municipal League (MML) that designates local jurisdictions as “Sustainable Maryland Certified”. The Town of Kensington has not yet been certified under this program.

The Council will review the necessary requirements to formally establish the Town as Sustainable Maryland Certified and Mayor Furman will contact MML to have someone discuss this at a future meeting.

### **Compost Crew**

Council Member Crimmins noted that the Town received an inquiry with regards to in-home composting and promoting additional composting provided beyond Compost Crew. Although there are many other composting services available to residents, the Town has been working with Compost Crew to offer price breaks for residents wishing to compost. In addition, Compost Crew will have a presence at our weekly Farmers Market.

### **Council Reports**

Council Member Engle noted that the crosswalk parallel to Knowles Avenue at Detrick Avenue was painted to provide a designated crossing area.

Council Member Bartram noted that Safeway has ordered an electronic cart containment system to keep their grocery carts from being removed from the Safeway property. The system should be installed within the next three to four months.

Council Member Crimmins noted that a new Acupuncture business will be coming to Kensington, which is owned and operated by a Kensington resident.

Mayor Furman noted that she met with Montgomery County’s Chief Administrative Officer, Rich Madaleno, along with Council Member Crimmins and Jason Gerson (Friends of Warner Circle) to discuss the pending sale of the Warner Mansion and Carriage House to Washington Landmark Construction. The issues related to the sale have been resolved and the proposal will be sent to the County Council for approval.

Mayor Furman noted that the article deadline for the September Around Town Journal is August 13, along with upcoming events: Labor Day Festival (no Parade); Paint the Town; Train Show; Opera in the Park; Kensington 8K Race; Pumpkin Rock & Roll; GIGS’ Courtyard Concert Series; KHS Concerts; Food Truck Night; and the K-Town Ladies Winter Wonderland Festival to be held in December. Mayor Furman also noted that she will have a sketch drawing for the proposed Howard Avenue mural at the September Council Meeting.

A work session will be scheduled to discuss limited duration signs and building setbacks.

### **Public Appearances**

Jack Gaffey noted upcoming astronomical events.

## **Council Actions**

Council Member Engle moved to adjourn the meeting at 8:44 pm. The motion passed unanimously.

## Form of Statement for Closing a Meeting

Location: **Town Hall, 3710 Mitchell Street**  
**Kensington, Maryland 20895**

Date: July 19, 2021  
Time: 6:33 pm

**Vote to go into closed session for the reasons set out below:**

Motion By: Council Member Crimmins    Seconded By: Council Member Hill-Zayat

Vote to Close Session:

|                           | AYE   | NAY | ABSTAIN | ABSENT |
|---------------------------|-------|-----|---------|--------|
| Council Member Bartram    | [ x ] | [ ] | [ ]     | [ ]    |
| Council Member Crimmins   | [ x ] | [ ] | [ ]     | [ ]    |
| Council Member Engle      | [ x ] | [ ] | [ ]     | [ ]    |
| Council Member Hill-Zayat | [ x ] | [ ] | [ ]     | [ ]    |

Other persons present for closed session:

[ ] Town Attorney Suellen Ferguson      [ x ] Town Manager Matthew Hoffman  
[ ] Town Clerk-Treasurer Susan Engels [ x ] Assistant to the Town Manager Alex Marini

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### STATUTORY AUTHORITY TO CLOSE SESSION

**AUTHORITY UNDER STATE GOVERNMENT ARTICLE §3-305(b) TO CLOSE THIS MEETING. PLEASE CHECK ALL THAT APPLY:**

- (1)    [ ] To discuss:
- (i) The appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or
  - (ii) Any other personnel matter that affects one or more specific individuals.
- (2)    [ ] To protect the privacy or reputation of individuals with respect to a matter that is not related to public business.
- (3)    [ ] To consider the acquisition of real property for a public purpose and matters directly related thereto.
- (4)    [ ] To consider a preliminary matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State.
- (5)    [ ] To consider the investment of public funds.
- (6)    [ ] To consider the marketing of public services.
- (7)    [ ] To consult with counsel to obtain legal advice.
- (8)    [ x ] To consult with staff, consultants, or other individuals about pending or potential litigation.

- (9)  To conduct collective bargaining negotiations or consider matters that relate to the negotiations.
- (10)  To discuss public security, if the public body determines that public discussions would constitute a risk to the public or public security, including:
  - (i) the deployment of fire and police services and staff; and
  - (ii) the development and implementation of emergency plans.
- (11)  To prepare, administer or grade a scholastic, licensing, or qualifying examination.
- (12)  To conduct or discuss an investigative proceeding on actual or possible criminal conduct.
- (13)  To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter.
- (14)  Before a contract is awarded or bids are opened, discuss a matter directly related to a negotiation strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.
- (15)  To discuss cybersecurity, if the public body determines that public discussion would constitute a risk to "(i) security assessments or deployments relating to information resources technology"; (ii) "network security information," such as information that is related to passwords, personal ID numbers, access codes, encryption, security devices, or vulnerability assessments or that a governmental entity collects or maintains to prevent, detect, or investigate criminal activity; or (iii) "deployments or implementation of security personnel, critical infrastructure, or security devices."

**TOPICS DISCUSSED:**  
**Greene Hurlocker Invoice**

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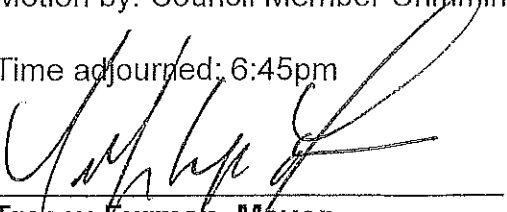
**ACTION TAKEN:**  
 None

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**VOTE TO ADJOURN CLOSED SESSION:**

Motion by: Council Member Crimmins      Second by: Council Member Engle

Time adjourned: 6:45pm

  
 Tracey Furman, Mayor  
 Signature of Presiding Officer

**Town Office Record:** The Statement of Closing for this meeting was attached to and included in the public minutes of the Regular Council Meeting on 09/2021.  
 Date