

April 11, 2022, Town Council Meeting Summary

(held in Person and by Zoom Video Conferencing)

- Approved the Town Meeting Minutes of March 14, 2022.
- Held a Variance Hearing for 3910 Warner Street in accordance with Section 5-109, “Fences, Walls and Retaining Walls”, of the Town Code. *A Resolution in support of the Variance request will be prepared for the May 9, 2022, Council meeting.*
- Held a Public Hearing on **Ordinance No. O-02-2022** - An Ordinance to Appropriate and Adopt the Fiscal Year 2022 – 2023 (FY23) Budget and to levy a tax on certain Real and Personal Property under the provision of §6-203 of the Tax-Property Article of the Annotated Code of Maryland, as amended.
 - *The Public Hearing will be left open until 4:00 pm on Friday, May 6, 2022.*
- Approved **Resolution No. R-09-2022** – A Resolution to confirm the appointment of Tina Sherman to the Board of Supervisors of Elections.
- Approved **Resolution No. R-10-2022** - A Resolution to confirm the appointments of Michael Gordon, Mike Henehan, and Andrew Roud to the Development Review Board.

Town Council Meeting April 11, 2022, 7:03 pm, in Person and by Zoom Video Conferencing

Mayor Furman, Council Members Bartram, Crimmins, Town Manager Hoffman, Assistant to the Town Manager Marini, and Clerk-Treasurer Engels were present. Council Member Engle was present via Zoom. Council Member Hill-Zayat was necessarily absent. The Pledge of Allegiance was recited, and a moment of silence was observed.

The Minutes from the March 14, 2022, Town Council Meeting were reviewed and approved. See Council Actions.

From the Mayor and Town Council

Town Election

The Town Election will be held on Monday, June 6, 2022, from 6:00 pm – 9:00 pm. The vote by mail/drop box option will be available once again as well via Absentee Ballot. The Town will send an Absentee Ballot application to every registered voter following the end of the nomination period.

Variance Hearing 3910 Warner Street

A Variance Hearing was held to install a six (6) foot fence within the front plane on the southwest side of the property at 3910 Warner Street in accordance with Section 5-109, “Fences, Walls and Retaining Walls”, of the Town Code.

Town Manager Hoffman stated the variance is for a retroactive fence permit for a six (6) foot fence and that the Town received letters of support from the adjacent neighbors, Barbara O’Donnell and Adeline Louie.

Ruth Hoffman, the property owner, stated that the driveway next to her property runs along the fence line and a higher fence in that area improves aesthetics along with providing a better enclosure for her dogs.

Council Member Crimmins clarified that it is only the rear section in the southwest corner.

Council Member Bartram stated he supports the variance based on the topography between the two properties and the reasons noted by the property owner did not meet the conditions for a variance.

There were no comments from the public.

A Resolution in support of the Variance request will be prepared for the May 9, 2022, Council meeting. See Council Actions.

Development Review Board

Council Member Crimmins provided an update on three proposed redevelopment projects in Town.

The Public Hearing required by Montgomery Planning for the Crossroads at Kensington project (10619 Connecticut Avenue) will be rescheduled to a later date to afford the applicant time to revise their stormwater management plan.

The Bakers Union (10401 Connecticut Avenue) may redevelop; the property is for sale and offers were due at the end of March.

Warner Mansion redevelopment is moving forward; Washington Landmark Construction is proposing a redevelopment plan that restores the current carriage house and mansion building inclusive of an addition to the mansion, at the rear, that will create a total of 18 residential condominiums; the buildings and property up to the drip line will be transferred to Washington Landmark Construction and the rest of the land around it will be maintained as a park with public access.

Mayor Furman noted the steps and outdoor patio area that has been used for exercise will be part of the buildings that are transferred and not be available as public space.

Council Member Crimmins and Mayor Furman will be scheduling an informal meeting with the developer and noted the original plans presented by the developer are available on the Town's website.

Mayor and Council Reports

Council Member Engle reminded residents that there will be a hybrid (in-person and Zoom) Public Workshop discussing possible pedestrian and bicycle improvements along Connecticut Avenue on April 21 from 7:00 pm to 9:00 pm at Town Hall.

Council Member Bartram stated he is continuing to work on upcoming code revisions including the side yard setbacks.

Council Member Crimmins stated Silver Creek Senior Living held a grand opening, which was attended by District 1 County Councilmember Andrew Friedson and County Executive Marc Elrich, who highlighted the Town's commitment to affordable housing in the County.

Mayor Furman noted the upcoming Town events: the KTown Ladies are hosting a Trash to Treasure Day on April 30; the Racial Justice Committee will be hosting a Juneteenth event at St. Paul Park on June 18; and the annual 4th of July Bike Parade will be held on July 4.

Council Member Bartram noted that the Maryland State Legislature approved the Town's request to expand the total aggregate of certain alcohol licenses within the Town from eight to twenty, and thanked the District 18 Delegation for their support, as this will allow additional businesses within the Town to serve alcohol.

Mayor Furman stated that the District 18 Delegation also secured \$525,000 for the Noyes Library Foundation.

From the Town Manager and Staff

Town Manager Hoffman reported that Pepco is waiting for the permit to be approved for the electric vehicle charging stations for Town Hall and the Train Station; planning has begun for the 55th Annual Labor Day Parade and Festival; and the Montgomery County Department of Transportation (MCDOT) reevaluated the intersection at Plyers Mill Road and Summit Avenue and is no longer requesting that the Town remove the Stop sign following ADA and pedestrian improvements. The Town will install a small island around the current stop sign. The Town Attorney is finalizing a contract with WRA Engineering to oversee the bridge repair proposals and provide project management.

Public Appearances

Jack Gaffey questioned if any decisions have been made on the \$100,000 settlement agreement between Silver Creek Senior Housing and Neighbors for an Improved Kensington; and noted the upcoming full moon on April 16, the Lyrids Meteor Shower on April 22-23, and the Eta Aquariids Meteor Shower on May 6-7.

Joe Campbell questioned the time left on the settlement agreement and information on the proposals that were not accepted.

Council Member Bartram stated there were unsuccessful proposals made to provide additional parking as opposed to parking and traffic enforcement and he is opposed to accepting the funds under the conditions in the agreement. There are approximately 4 years left on the 6-year agreement for the Town to accept the funds.

Ordinances, Resolutions, and Regulations

Ordinance No. O-02-2022 – A Public Hearing was held on Ordinance No. O-02-2022 to Appropriate and Adopt the Fiscal Year 2022 – 2023 (FY23) Budget and to levy a tax on certain Real and Personal Property under the provision of §6-203 of the Tax-Property Article of the Annotated Code of Maryland, as amended.

Town Manager Hoffman stated, in the proposed budget, revenues have increased 6.1 percent and expenditures have increased 7.5 percent compared to FY22; and the Town received the first of two payments from the American Rescue Plan Act (ARPA), which has been allocated to the Capital Improvement Project (CIP) for storm drains in the proposed budget.

Council Member Engle requested information on the cost of the storm drain project.

Town Manager Hoffman stated he anticipates applying all the ARPA funds, \$2,294,670, to storm water infrastructure in Town and will not know the cost until an analysis is done later this year.

There were no public comments. The record will remain open until 4 pm on May 6. See Council Actions.

Resolution No. R-09-2022 – A Resolution of the Town Council Confirming an appointment made by the Mayor of Tina Sherman to the Board of Supervisors of Elections was presented. Tina Sherman would replace the previous appointment of Jenny Smith who is not available. See Council Actions. (*Subsequently Tina Sherman was unable to serve on the Board of Supervisors of Elections due to her service on the Ethics Commission*).

Resolution No. R-10-2022 - A Resolution of the Town Council to confirm the Mayor's appointments of Michael Gordon, Mike Henehan, and Andrew Roud to the Development Review Board was presented. See Council Actions.

Council Member Crimmins thanked prior members, T. J. Monahan and Martha Deale for their dedicated service on the Development Review Board.

June Town Meeting

The Mayor and Council set the June meeting for Tuesday, June 7th at 7 pm due to a conflicting schedule with the MML Conference.

Council Actions

Council Member Crimmins moved to approve the Town Meeting Minutes from March 14, 2022. The motion passed unanimously.

Council Member Bartram moved to direct Town Staff to draft a resolution in support of the Variance request for a fence at 3910 Warner Street for based on topography for approval at the May Town Meeting. The motion passed unanimously.

Council Member Crimmins moved to leave the record open on Ordinance No. O-02-2022 to appropriate and adopt the Fiscal Year 2022 – 2023 (FY23) Budget and to levy a tax on certain real and personal property under the provision of §6-203 of the Tax-Property Article of the Annotated Code of Maryland, until May 6, 2022, 4 pm. The motion passed unanimously.

Council Member Crimmins moved to approve Resolution No. R-09-2022 confirming the appointment made by the Mayor of Tina Sherman to the Board of Supervisors of Elections. The motion passed unanimously. *(Subsequently she was unable to serve on the Board of Supervisors of Elections due to her service on the Ethics Commission).*

Council Member Crimmins moved to approve Resolution No. R-10-2022 to appoint Michael Gordon, Mike Henehan, and Andrew Roud to the Development Review Board. The motion passed unanimously.

Council Member Bartram moved to adjourn the meeting at 7:56 pm. The motion passed unanimously.