

## **August 8, 2022, Town Council Meeting Summary (held by Zoom Video Conferencing)**

- Approved the Town Meeting Minutes of July 11, 2022.
- Approved the Town Organizational Meeting Minutes of July 11, 2022.
- Approved the Town Work Session Minutes of July 26, 2022.
- Acknowledged the appointment of Leslie Olson to the Auditing Committee.
- Approved an Alcohol waiver for a Kensington Can! event at Flinn Park.
- Concurred to draft a letter with comments on County Bill 18-22, Noise Control – Leaf Removal Equipment. The draft letter will be reviewed at the September Town Meeting prior to submission for the County hearing on September 20.
- Approved Resolution No. R-21-2022 – A Resolution authorizing a contract with Whitman, Requardt & Associates, LLC, for Consulting Engineer and Project Services for the rehabilitation of three Town bridges.
- Approved Resolution No. R-22-2022 – A Resolution Authorizing the Town Manager to accept a proposal from Precision Concrete Cutting of Delaware and Maryland to remove certain sidewalk and trip hazards within the Town.
- Approved Resolution No. R-23-2022 – A Resolution Authorizing the Town Manager to accept a proposal from Shorb Landscaping for hardscape and planting improvements at Clum-Kennedy Park

### **Town Council Meeting August 8, 2022, 7:00 pm by Zoom Video Conferencing**

Mayor Furman, Council Members Bartram, Crimmins, Engle, Lichter, Town Manager Hoffman, Assistant to the Town Manager Marini, and Clerk-Treasurer Engels were present. A moment of silence was observed.

The Minutes from the July 11, 2022, Town Organizational Meeting were reviewed and approved. See Council Actions.

The Minutes from the July 11, 2022, Town Council Meeting were reviewed and approved, as amended, to state: “the firm installation date of the approved rapid flashing beacon at Wheatley Street” in the paragraph on SHA update. See Council Actions.

The Minutes from the July 26, 2022, Council Work Session were reviewed and approved, as amended, to include that the meeting was held by Zoom video conferencing. See Council Actions.

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

#### **Auditing Committee**

Mayor Furman acknowledged the appointment of Leslie Olson to the Auditing Committee for a one-year term. Paul Sexton was unable to serve on the committee.

## **Flinn Park Alcohol Waiver**

Mayor Furman stated Kensington Can! business group is going to have a small meet and greet event at Flinn Park September 22 and requested that the Town Park alcohol restriction be waived for the event in Flinn Park. The Council concurred to approve a one-day alcohol waiver. See Council Actions.

## **County Bill 18-22, Noise Control – Leaf Removal Equipment**

The County is proposing a ban on gas-powered leaf blowers and vacuums, which would be enforced under the County's noise ordinance, and apply within the Town of Kensington. The Public Hearing has been scheduled for September 20.

Council Member Bartram stated he has drafted comments, for review, to submit for the hearing addressing the burden on municipal governments for curbside leaf removal, the racial equity and social justice impact, the educational component, clarification on the type of equipment banned, such as the Town's tow behind leaf vacuum, and the trade-offs.

The Council reviewed the draft comments and suggested the County should be clearer on helping the public understand the tradeoffs between gas and electric, provide information on the benefits of composting leaves, emphasize other health benefits relating to exhaust, consider measuring decibel levels and differentiating between two and four stroke engines, and the limited availability of rebates.

Joe Campbell stated the Town's proposed comments should address enforcement.

George Buckwalter stated multiple leaf blowers are used for general lawn maintenance without available data on noise level.

The Council concurred to draft a letter with the comments to be reviewed at the September Town Council Meeting prior to submission for the County hearing on September 20.

## **Mayor and Council Reports**

The Mayor and Council reported that flyers with hate speech were found in St. Paul Park and that the incident was reported to the Montgomery County Police (MCP). The Mayor and Council condemned the act and noted that acts of hate will not be tolerated by the Town.

The Racial Justice Committee will be meeting August 10 at 7:30 pm to identify how the Town can work with other communities to stand strong against hate and work to become a safe and welcoming community.

Council Member Lichter noted the Racial Justice Committee and Kensington Can! will be holding the 2<sup>nd</sup> Annual Community Back to School Block Party on August 21 from 3 to 5 pm.

Council Member Engle stated there will be an article in the Town newsletter on the Connecticut Avenue corridor study along with a recruitment article on the Green Team to help find members to identify areas for improvement in order to pursue the Sustainable Maryland designation.

Council Member Bartram stated he watched a County presentation on climate change and the importance of drawing on the County bills and expertise for local climate change initiatives.

Council Member Crimmins stated there will be a Development Review Board (DRB) update on current projects in the upcoming newsletter and a general DRB meeting will be scheduled in the next couple weeks.

### **From the Town Manager and Staff**

Town Manager Hoffman confirmed the Council meeting format for the September 12 meeting will be a hybrid, in-person and Zoom video conferencing; announced M&T Bank will be the platinum sponsor for the Labor Day Parade; Council Members Crimmins and Lichter will be reviewing the revised employee handbook prior to Council approval at an upcoming meeting; the electric vehicle charging stations at the Train Station are now operational; and the Town will be working with Compost Crew to add the compost bins at the Train Station.

Mayor Furman stated she, along with Assistant to the Town Manager Marini, have been working on an interpretive sign for Clum-Kennedy Park, which should be installed in October.

### **Public Appearances**

Jack Gaffey noted two upcoming astronomical events including the supermoon on August 11 and the peak of the Perseid meteor shower on August 13-16.

Joe Campbell questioned when the Washington Gas work on Frederick Avenue will be completed; commended George Buckwalter for speaking out about the potential impact of noise on residents from the proposed concerts; and the importance of enforcing grass clippings being left on sidewalks.

Mayor Furman stated it was more important to enforce vegetation that obstructs sidewalks around Town and did not agree that grass clippings left along sidewalks composed a public safety hazard.

Town Manager Hoffman stated he will follow up with Washington Gas.

### **Ordinances, Resolutions, and Regulations**

**Resolution R-21-2022** – A Resolution of the Town Council authorizing a contract with Whitman, Requardt & Associates, LLC, (WRA) for Consulting Engineer and Project Services for the rehabilitation of three Town bridges was presented. See Council Actions.

Town Manager Hoffman stated the resolution replaces Resolution R-12-2022, previously adopted; upon further review WRA determined they could not meet their proposed price for project management for the three bridges. This resolution is to approve a contract, the Town attorney drafted, for WRA to draft and bid out a RFP, and recommend an engineering firm to serve as project manager; completion of the project is 24 to 36 months out due to the RFP needed for construction and the Department of Environmental Protection requirements.

Joe Campbell requested clarification on the completion time, cost, urgency of the project, and if the same engineers that evaluated the bridges gave the original estimate of \$160,000.

Town Manager Hoffman stated the original bridge reports are put together by WRA but they are not the engineering firm that gave the projected estimates in the reports, the estimates do not reflect an accurate cost which will be closer to \$200,000 - \$300,000; all three bridges are graded 90 or above and are structurally sound; and most of the work relates to ADA issues, parapets, and a minor structural issue with the Kensington Cabin bridge.

**Resolution No. R-22-2022** – A Resolution of the Town Council authorizing the Town Manager to accept a proposal from Precision Concrete Cutting of Delaware and Maryland to remove certain sidewalk and trip hazards within the Town was presented. See Council Actions.

Town Manager Hofman stated Precision Concrete provided two separate proposals totaling \$34,569.38 for the sidewalks within the Town and County and State sidewalks, since the County and State defer to localities for minor repairs; the Town has contracted with Precision Concrete previously and the resolution requires an extra majority vote as the project was not bid.

Joe Campbell appreciated the trip hazards being addressed and noted the importance of seeking bids and questioned the reason for the trip hazards.

Town Manager Hoffman stated that prior performance within the Town by Precision Concrete and a limited number of contractors that offer the service justified his recommendation not to place the proposal for public bid.

**Resolution No. R-23-2022** – A Resolution of the Town Council authorizing the Town Manager to accept a proposal from Shorb Landscaping for hardscape and planting improvements at Clum-Kennedy Park was presented. See Council Actions.

Joe Campbell stated the park is very well-maintained and looks good; and questioned the type of hardscape additions.

Mayor Furman stated this is the third and final phase of the large plantings at the Park and additional boulders will be added to help with erosion.

## **Council Actions**

Council Member Crimmins moved to approve the Town Organizational Minutes from July 11, 2022. The motion passed unanimously.

Council Member Crimmins moved to approve the Town Meeting Minutes from July 11, 2022, as amended, to include the firm installation date of the approved rapid flashing beacon at Wheatley Street. The motion passed unanimously.

Council Member Crimmins moved to approve the Town Work Session Minutes from July 26, 2022, as amended, to include the meeting was held by Zoom video conferencing. The motion passed unanimously.

Council Member Crimmins moved to approve a one-day alcohol waiver for Kensington Can! Event tentatively scheduled for September 22 at Flinn Park. The motion passed unanimously.

Council Member Engle moved to approve Resolution No. R-21-2022 authorizing a contract with Whitman, Requardt & Associates, LLC, for Consulting Engineer and Project Services for the rehabilitation of three Town bridges. The motion passed unanimously.

Council Member Bartram moved to approve Resolution No R-22-2022 authorizing the Town Manager to accept a proposal from Precision Concrete Cutting of Delaware and Maryland to remove certain sidewalk and trip hazards within the Town. The motion passed unanimously.

Council Member Lichter moved to approve Resolution No. R-23-2022 authorizing the Town Manager to accept a proposal from Shorb Landscaping for hardscape and planting improvements at Clum-Kennedy Park. The motion passed unanimously.

Council Member Bartram moved to adjourn the meeting at 8:39 pm. The motion passed unanimously.