

April 10, 2024, Town Council Meeting Summary (held in Person and by Zoom Video Conferencing)

- Approved the Town Meeting Minutes of March 20, 2024.
- Adopted Ordinance No. O-01-2024 – An Ordinance Authorizing the Acquisition of Certain Property located at 10528 St. Paul Street, Kensington, Maryland, for a Public Purpose.
- Held a Public Hearing on Ordinance No. O-02-2024 – An Ordinance of the Mayor and Council of the Town of Kensington to Appropriate and Adopt the Fiscal Year 2024 – 2025 (FY25) Budget and to Levy a Tax on Certain Real and Personal Property under the provisions of §6-203 of the Tax-Property Article of the Annotated Code of Maryland, as Amended. *The Public Hearing will remain open until 4:00 pm on Monday, May 6, 2024.*

Town Council Meeting April 10, 2024, 7:00 pm, held in Person and by Zoom Video Conferencing

Mayor Furman; Council Members Bartram, Crimmins, Engle, and Lichter (by Zoom Video Conferencing); Town Manager Hoffman; Town Attorney Ferguson; Assistant Town Manager Marini; and Clerk-Treasurer Engels were present. The Pledge of Allegiance was recited, and a moment of silence observed.

The Town Meeting Minutes from March 20, 2024, were reviewed and approved. The Minutes were amended to add “the Mayor and Council rescheduled the Budget Forum from April 3 to May 1 at 4 pm”. See Council Actions.

Town Election

The 2024 Town Election will be held on Monday, June 3, 2024, 6:00 pm – 9:00 pm, at Town Hall. Certificates of Nomination are due by 4:00 pm on Monday, May 13, 2024. If needed, a Candidate Forum will be held in person, and via Zoom, on May 23, 2024, at 7:00 pm.

Antique Row and Explore Kensington Marquee Signs:

Mayor Furman and the Council discussed refurbishing and updating the language on the existing Antique Row sign located along Connecticut Avenue at Howard Avenue, and the West Howard Avenue sign for the Howard Avenue business district.

Residents and Business Owners, Gloria Capron, Rita Francis, Margaret Goldsborough, Jody Krieger, Georgina Liu, and Tyler Whitmore commented on the proposed options.

Council Members Bartram, Crimmins, and Engle supported “Antique Row” in large letters with Explore Kensington underneath.

Council Member Lichter supported Explore Kensington on the main sign to show the diversity of shops.

The Council concurred to move forward with refurbishing the existing sign and consult a designer for the language and it will be put on a future agenda.

The Flats at Knowles Station – Public Plaza (10509 Summit Avenue)

Tom Brault, Woodside Builders, requested approval to proceed with the Public Plaza at the base of Kaiser Place for the Flats at Knowles Station project prior to starting construction on the Flats project. The Public Plaza would include plantings, trees, and an ADA compliant walking path.

The Mayor and Council discussed the Public Plaza; requested consultation with the Greenscape Committee on plantings; and concurred to allow Mr. Brault to complete the Public Plaza prior to construction on the Flats project.

HB1488/SB1027 - Property Tax Appeals

District 18 Delegate Jared Solomon was present and provided an update on HB1488/SB1027, to allow only a person with a legal interest or ownership in a property to appeal to the State Department of Assessments and Taxation (SDAT).

Delegate Solomon stated there was not enough time for review and the Bill did not pass this session, but may be back next year in a modified form; it was presented as an emergency Bill targeting a specific property, 3700 Plyers Mill Road, and the Bill was changed to allow commercial appeals, while removing residential appeals, without a legal interest with a fee provision; there were concerns over the retroactive provision due to revenue loss; and concerns over the intention of a 1985 decision that gave any taxpayer the right to challenge an assessment.

The Mayor and Council commented on the property, 3700 Plyers Mill Road, which was reassessed higher than any other property in Town at \$76,250,000, with only the improvements increased based on the sale price, but not the land, and questioned how SDAT assesses commercial properties.

Delegate Solomon stated he can research this with SDAT.

Ordinances, Resolutions, and Regulations

Ordinance No. O-01-2024 – Ordinance No. O-01-2024 Authorizing the Acquisition of Certain Property located at 10528 St. Paul Street, Kensington, Maryland, for a Public Purpose was presented for adoption. See Council Actions.

The Public Hearing was held on March 20, 2024, and the public record closed on Monday, April 8, 2024, 4 pm; the Town did not receive any additional public comments.

Town Attorney Ferguson stated the original ordinance was for a lower price and needed to be adopted as amended with the final price of \$1,010,000.

Ordinance No. O-02-2024 – A Public Hearing was held on Ordinance No. O-02-2024 of the Mayor and Council of the Town of Kensington to Appropriate and Adopt the Fiscal Year 2024 – 2025 (FY25) Budget and to Levy a Tax on Certain Real and Personal Property under the provisions

of §6-203 of the Tax-Property Article of the Annotated Code of Maryland, as Amended. The Public Hearing will be held open until 4:00 pm on Monday May 6, 2024. See Council Actions.

Town Manager Hoffman provided an overview of the proposed budget which includes the real and personal property tax rates remaining the same as prior years; noted that revenues remain strong, with increases a result of income tax and property redevelopment; a budget amendment may be needed due to a delay in ARPA projects, which may result in a negative general fund; a 3.6% cost of living increase for salaries with an additional 1.4% increase for certain positions, along with reclassification of a Public Works position have been proposed, along with additional funding for a fourth secondary enforcement officer, Drill Hall improvements including drapes, the completion of the new street name signs, a proposed contract extension with the existing trash brush and recycling contractor, which would add a weekly composting service and bins for all residents; and additional funds for traffic engineering.

Council Members Engle and Lichter stated Sustainable Kensington has been advocating for the Town to provide composting for all Residents; suggested a quote from Compost Crew when exploring options; and the importance of providing education and outreach.

Council Member Lichter stated the Community Budget Forum will be on May 1.

Joe Campbell inquired about the potential negative fund balance, second trash collection, salary ranges, Ecology truck leaks, increasing bridge repair costs, and street sweeping.

Town Manager Hoffman stated that the possible negative fund balance was due to certain ARPA related projects being delayed from additional engineering requirements; however, the possible negative fund balance has not been confirmed and may not be an issue; the second trash collection would not be eliminated in FY25, and it would be evaluated in the following years of the contract; individual salaries are available upon request; the increase for bridge repairs within the CIP is based on increased expected construction costs, and street sweeping is once a year in the spring over a two day period.

Al Carr suggested using the constant yield real property tax rate, adding a hotel tax for future development, recovering unpaid property taxes from Dark Fiber Infrastructure, and suggested the Town acquire the Pepco streetlights.

Town Manager Hoffman stated due to the uncertainty of the assessable base with the large appeal of 3700 Plyers Mill Road, and service improvements, he wanted to keep the existing tax rate; the constant yield tax rate can be considered next year.

Public Appearances

Joe Campbell requested information on the new street signs; and outcome of Ecology trucks leaking oily substances.

Town Manager Hoffman stated the street signs should be installed by the end of the new Fiscal Year; the existing cast iron signs were expensive to replace and did not meet current reflective and size regulations.

From the Mayor and Town Council

Council Member Crimmins reported the Compass Art Center will have their official Grand Opening on April 13 from 12 noon to 6 pm.

Council Member Engle stated he, along with Council Member Crimmins, published an article in the April newsletter on the ULI TAP Report for the proposed Summit Avenue Extended project; and he along with Council Member Lichter have been reaching out to KenGar residents to discuss challenges and opportunities with the Summit Avenue project, and noted that a community forum for Kengar residents would be held in June; the PBAS Working Group will meet April 23 at 7:30 pm; and Sustainable Kensington will meet May 15 at 7:30 pm.

Council Member Lichter reported the Day of the Book Festival is on April 21, which will include representatives from Sustainable Kensington, the Greenscape Committee, PBAS Working Group, and the Juneteenth Committee; and the Town will have a Tree Care 101 Class again this year on May 18.

Mayor Furman thanked the 130th Anniversary Committee; KensingtonCAN! will be having a Party at the Fountain for businesses on May 16; noted Residents' concerns over parking on Kensington Parkway due to BabyCat Brewery events and the need for consistent signage and wayfinding signs; Council Member Crimmins will review the parking issues; and the Town bench raffle will be held the week of May 6 and all those that registered will be notified.

Council Actions

Council Member Crimmins moved to approve the Town Meeting Minutes from March 20, 2024, as amended, to include the Budget Forum was rescheduled from April 3 to May 1 at 4 pm. The motion passed unanimously.

Council Member Crimmins moved to adopt Ordinance O-01-2024 Authorizing the Acquisition of certain property located at 10528 St. Paul Street, Kensington, Maryland, for a public purpose as amended for a sales amount of \$1,010,000. The motion passed unanimously.

Council Member Crimmins moved to adopt the purchase agreement between 9323B and 9327 Fraser Venue, LLC, and the Town of Kensington in substantial form for 10528 St. Paul Street. The motion passed unanimously.

Council Member Engle moved to hold the Public Hearing open on Ordinance No. O-02-2024 to Appropriate and Adopt the Fiscal Year 2024 – 2025 (FY25) Budget and to Levy a Tax on Certain Real and Personal Property under the provisions of §6-203 of the Tax-Property Article of the Annotated Code of Maryland, as Amended until 4:00 pm May 6, 2024. The motion passed unanimously.

Council Member Bartram moved to adjourn the meeting at 10:03 pm. The motion passed unanimously.