

## **October 10, 2024, Town Council Meeting Summary**

(held in Person and by Zoom Video Conferencing)

- Approved the Town Meeting Minutes of September 10, 2024.
- Announced that the Town will hold a Public Comment session beginning at 6:30 pm on Wednesday, November 13, 2024, with regards to the possible sale of Joseph Park (3420 Plyers Mill Road).
- Held a Closed Session meeting pursuant to State Government Article §3-305 (b)(7), “Closed Session”, to consult with counsel to obtain legal advice. No Actions were taken.
- Approved Resolution No. R-16-2024 – Approving a Variance to allow the installation of a six-foot (6’) fence within the front plane of the property located at 3417 Plyers Mill Road, in accordance with Section 5-109 (i), “Fences, Walls and Retaining Walls,” of the Town’s Housing and Building Regulations.
- Approved Resolution No. R-17-2024 – Adopting the Montgomery County Hazard Mitigation Plan for 2024.
- Approved Resolution No. R-18-2024 – Approving the First Amendment to the Purchase Agreement with 9323B AND 9327 FRASER AVENUE, LLC, to acquire 10528 St. Paul Street, Kensington, MD, to make provision for the continuation of a lease through January 31, 2025, with the current tenant MXD SERVICES, LLC; to accept the Assignment of the Lease between 9323B AND 9327 FRASER AVENUE, LLC, Landlord; and MXD SERVICES, LLC, Tenant, for the period November 1, 2024, through January 31, 2025, and to approve the form of a Second Amendment to Lease between 9323B AND 9327 FRASER AVENUE, LLC, Landlord, and MXD SERVICES, LLC, Tenant, extending the lease through January 31, 2025.
- Approved Resolution No. R-19-2024 – Authorizing a Contract with Ecology Services Refuse & Recycling, LLC, for the term of one-year, beginning January 1, 2025, and for three additional one-year options, to provide Trash, Recycling, Yard Waste, and Bulk Trash Services.
- Approved Resolution No. R-20-2024 – Authorizing a Contract Agreement with Playground Specialists, Inc., for the Purchase and Installation of ADA Playground Equipment and Surfacing at St. Paul Park; in which funding for the project was Awarded through a Community Parks and Playground grant with the State of Maryland.
- Approved Resolution No. R-21-2024 – Authorizing a Contract Agreement with Rose Brand East, for the fabrication and installation of new curtains for the windows and stage within the Drill Hall at the Kensington Town Hall.

## **Town Council Meeting October 10, 2024, 7:01 pm, held in Person and by Zoom Video Conferencing**

Mayor Furman; Council Members Bartram, Crimmins, Engle, and Lichter; Town Manager Hoffman; Assistant Town Manager Marini; and Clerk-Treasurer Engels were present. Town Attorney Ferguson was present for part of the meeting. The Pledge of Allegiance was recited and a moment of silence observed for Mary Del Bianco who passed away.

The Town Meeting Minutes from September 10, 2024, were reviewed and approved. See Council Actions.

**From the Mayor and Town Council**

Town Manager Hoffman announced the Town will be hosting an event with Montgomery Planning on Tuesday, October 15, 2024, from 7 to 9 pm to provide further information about the proposed Attainable Housing Strategies initiative.

Joe Campbell suggested a Zoom option for the meeting.

Town Manager Hoffman reported that there will be a Closed Session on Monday, October 21, 2024, pursuant to State Government Article §3-305 (b)(4) and (7), “Closed Session”, to consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State, and to consult with counsel to obtain legal advice with regards to 10509 Summit Ventures, LLC, and the Flats at Knowles Station development project.

### **Joseph Park**

Town Manager Hoffman requested the Council establish a schedule for public comment for possibly selling Joseph Park (3420 Plyers Mill Road); and noted that the last onsite meeting with the public to answer questions was in March 2023.

The Council discussed Joseph Park and will move forward with a listening session to be held at the November 13 Town Meeting beginning at 6:30 pm to provide information on future acquisitions and capital improvements in Town and receive public input before deciding on whether to introduce an ordinance. A postcard will be sent out with the information.

Zacharey Carmichael spoke against selling Joseph Park.

### **Parking Task Force**

Council Member Lichter stated she, along with Council Member Crimmins, are establishing a Parking Task Force to examine ways to improve parking and mobility in Town; nominations are being accepted; and an outside consultant will be used.

Joe Campbell clarified how to request to be on the Task Force.

### **Town Hall – Office Renovations**

Town Manager Hoffman stated he is working with an architect, Margaret Upton, and presented a sketch plan for the proposed remodeling of the third-floor Town Offices.

### **Closed Session**

A closed session was held at 8:25 pm pursuant to State Government Article pursuant to State Government Article §3-305 (b)(7), “Closed Session”, to consult with counsel to obtain legal advice regarding 10528 St. Paul Street and 10401 Connecticut Avenue. The Closed Session adjourned at 8:50 pm. No Actions were taken. See Closed Meeting Form.

Council Member Lichter reported that Sustainable Kensington will be meeting on October 16 at 7:30 pm and the Greenscape Committee is continuing to work on Ernest Park Improvements and will be scheduling an upcoming meeting.

Council Member Engle reported the Pedestrian and Bicycling Access & Safety Working Group and the Mobility and Traffic Committee had their first joint meeting; the 4th Annual Walktober Event will be October 19 and the federal grant for the Rail Crossing Elimination was submitted by the Maryland Transit Administration (MTA) on behalf of the Town; and attended a Kensington Parkwood Elementary School community meeting regarding improvements based on the walkability study completed in 2019 for the one mile walkshed area.

Council Member Crimmins reported several listening sessions were held on attainable housing which are available online; and the county is reopening their school boundary study process.

Mayor Furman reported she, along with Council Members Crimmins and Engle, will be meeting with County Councilmember Kate Stewart regarding the Summit Avenue extension; and reported on the success of the Chess Festival.

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

**Resolution No. R-16-2024** – A Resolution of the Mayor and Town Council of Kensington Approving a Variance to allow the installation of a six-foot (6’) fence within the front plane of the property located at 3417 Plyers Mill Road, in accordance with Section 5-109, “Fences, Walls and Retaining Walls”, of the Town Code was presented. See Council Actions.

The Variance Hearing was held on September 10, 2024; and no comments were received from the adjacent property owners.

**Resolution No. R-17-2024** – A Resolution of the Mayor and Town Council of Kensington to Adopt the Montgomery County Hazard Mitigation Plan for 2024 was presented. See Council Actions.

Town Manager Hoffman stated that Montgomery County has updated their Hazard Mitigation Plan and has requested that the Town readopt the Plan, which allows the Town to piggyback off Montgomery County contractors in an emergency.

**Resolution No. R-18-2024** – A Resolution of the Mayor and Town Council of Kensington to Approve the First Amendment to the Purchase Agreement with 9323B AND 9327 FRASER AVENUE, LLC, to acquire 10528 St. Paul Street, Kensington, MD, to make provision for the continuation of a lease through January 31, 2025, with the current tenant MXD SERVICES, LLC; to accept the Assignment of the Lease between 9323B AND 9327 FRASER AVENUE, LLC, Landlord; and MXD SERVICES, LLC, Tenant, for the period November 1, 2024, through January 31, 2025, and to approve the form of a Second Amendment to Lease between 9323B AND 9327 FRASER AVENUE, LLC, Landlord, and MXD SERVICES, LLC, Tenant, extending the lease through January 31, 2025 was presented. See Council Actions.

**Resolution No. R-19-2024** – A Resolution of the Mayor and Town Council of Kensington Authorizing a Contract with Ecology Services Refuse & Recycling, LLC, for the term of one-year,

beginning January 1, 2025, and for three additional one-year options, to provide Trash, Recycling, Yard Waste, and Bulk Trash Services was presented. See Council Actions.

Town Manager Hoffman stated we are currently at the end of a six-year contract with Ecology Services. The new contract will be for 2025 and include the current services with options for up to three additional one-year terms; pricing increases will be based on the CPIU and tipping fees. The new contract is at our base rate with a 5 percent increase and the Town is piggybacking off a bid proposal accepted by Garrett Park.

**Resolution No. R-20-2024** – A Resolution of the Mayor and Council of the Town of Kensington Authorizing a Contract Agreement with Playground Specialists, Inc., for the Purchase and Installation of ADA Playground Equipment and Surfacing at St. Paul Park; in which funding for the project was Awarded through a Community Parks and Playground (CPP) grant with the State of Maryland was presented. See Council Actions.

Town Manager Hoffman stated the funding is through the CPP grant and we are bypassing bidding requirements to use Playground Specialists, Inc. There will be a second and third phase to the project which will include additional surface replacement and playground equipment.

**Resolution No. R-21-2024** – A Resolution of the Mayor and Council of the Town of Kensington Authorizing a Contract Agreement with Rose Brand East, for the fabrication and installation of new curtains for the windows and stage within the Drill Hall at the Kensington Town Hall was presented. See Council Actions.

The contract includes replacing the window curtains, stage curtain, and skirt around the stage; the color will be changed to Bermuda Blue.

### **Public Appearances**

There were no public appearances.

### **From the Town Manager**

Town Manager Hoffman stated the State Highway Administration (SHA) has delayed the proposed ADA sidewalk improvements along Connecticut Avenue until FY2028; and proposed having the Town's contractor add a back curb and railing in one area to improve safety until SHA proceeds with the project in FY2028.

Town Manager Hoffman stated the Mayor suggested installing a sidewalk along the north side of Howard Avenue between Connecticut Avenue and Armory Avenue to provide a safer route to Crossroads of Kensington; he will work with the traffic engineer and NZI to proceed with adding the sidewalk and a crosswalk at Armory and Howard Avenues, with a bench, if possible, for the bus stop.

### **Council Actions**

Council Member Engle moved to approve the Town Meeting Minutes from September 10, 2024. The motion passed unanimously.

Council Member Bartram moved to close the meeting at 8:25 pm, pursuant to State Government Article §3-305(b)(7), “Closed Session”, to consult with counsel to obtain legal advice regarding 10528 St. Paul Street and 10401 Connecticut Avenue. Council Member Crimmins seconded the motion. The motion passed unanimously.

Council Member Lichter moved to end the Closed Session at 8:50 pm. Council Member Engle seconded the motion. The motion passed unanimously.

Council Member Crimmins moved to adopt Resolution R-16-2024 approving a variance to allow the installation of a six-foot (6’) fence within the front plane of the property located at 3417 Plyers Mill Road, in accordance with Section 5-109, “Fences, Walls and Retaining Walls”, of the Town Code. The motion passed unanimously.

Council Member Lichter moved to adopt Resolution R-17-2024 adopting the Montgomery County Hazard Mitigation Plan for 2024. The motion passed unanimously.

Council Member Crimmins moved to adopt Resolution R-18-2024 to Approve the First Amendment to the Purchase Agreement with 9323B AND 9327 FRASER AVENUE, LLC, to acquire 10528 St. Paul Street, Kensington, MD, to make provision for the continuation of a lease through January 31, 2025, with the current tenant MXD SERVICES, LLC; to accept the Assignment of the Lease between 9323B AND 9327 FRASER AVENUE, LLC, Landlord; and MXD SERVICES, LLC, Tenant, for the period November 1, 2024, through January 31, 2025, and to approve the form of a Second Amendment to Lease between 9323B AND 9327 FRASER AVENUE, LLC, Landlord, and MXD SERVICES, LLC, Tenant, extending the lease through January 31, 2025. The motion passed unanimously.

Council Member Engle moved to adopt Resolution R-19-2024 Authorizing a Contract with Ecology Services Refuse & Recycling, LLC, for the term of one-year, beginning January 1, 2025, and for three additional one-year options, to provide Trash, Recycling, Yard Waste, and Bulk Trash Services. The motion passed unanimously.

Council Member Crimmins moved to adopt Resolution R-20-2024 Authorizing a Contract Agreement with Playground Specialists, Inc., for the Purchase and Installation of ADA Playground Equipment and Surfacing at St. Paul Park; in which funding for the project was Awarded through a Community Parks and Playground grant with the State of Maryland. The motion passed unanimously.

Council Member Lichter moved to adopt Resolution R-21-2024 Authorizing a Contract Agreement with Rose Brand East, for the fabrication and installation of new curtains for the windows and stage within the Drill Hall at the Kensington Town Hall as amended to remove the sales tax and indicate the color change to Bermuda Blue. The motion passed unanimously.

Council Member Engle moved to adjourn the meeting at 9:35 pm. The motion passed unanimously.