

## **March 12, 2025, Town Council Meeting Summary** (held In Person and by Zoom Video Conferencing)

- Approved the Town Meeting Minutes of February 12, 2025.
- Approved the Work Session Minutes of February 18, 2025.
- Approved the Closed Session Minutes of February 18, 2025.
- Acknowledged a Closed Session was held on February 18, 2025, pursuant to State Government Article §3-305 (b)(1)(ii) to consult with the Town Attorney with regards to a personnel matter and Article §3-305 (b)(3) to consider the acquisition of real property for a public purpose and matters directly related to the acquisition.
- Adopted **Ordinance No. O-01-2025**, As Amended - Authorizing the Sale of Certain Real Property located at 3420 Plyers Mill Road, Kensington, Maryland, that is no longer needed for a public purpose.
- Introduced **Ordinance No. O-02-2025** – An Ordinance of the Mayor and Council of the Town of Kensington to Appropriate and Adopt the Fiscal Year 2025 – 2026 (FY26) 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 has been scheduled for Wednesday, April 9, 2025, 7:30 pm.*
  - *A Community Budget Forum will also be held prior to the Public Hearing on Wednesday, April 9, 2025, beginning at 6:00 pm.*
- Introduced **Ordinance No. O-03-2025** – An Ordinance of the Mayor and Council of the Town of Kensington to Amend Chapter V, “Housing and Building Regulations”, by enacting Article 7, “Transient Lodging Facilities”, to Incorporate Chapter 54, of the Montgomery County Code entitled “Transient Lodging Facilities”, which contains various provisions to protect, regulate and license hotels, bed and breakfast, and short-term residential rentals and to make conforming changes.
  - *The Public Hearing has been scheduled for Wednesday, April 9, 2025, 7:30 pm.*
- Approved **Resolution No. R-06-2025** – Confirming Appointments made by the Mayor to the Board of Supervisors of Elections.
- Approved **Resolution No. R-07-2025** – Authorizing a Contract with Mulheron Tree Experts, Inc., for Soil Care Fertilization and Tree Pest Management for certain trees within Town Parks and the Public Right-of-Way in an amount not to exceed \$16,525.00.
- Approved **Resolution No. R-08-2025** – Authorizing the Purchase of a new 12’ Flatbed Dump Body for the Ford F-550, from PJ’s Truck Bodies & Equipment Co.

## **Town Council Meeting March 12, 2025, 7:00 pm, held in Person and by Zoom Video Conferencing**

Mayor Furman; Council Members Bartram, Crimmins, Engle, and Lichter; Town Attorney Ferguson; Town Manager Hoffman; 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 February 12, 2025, were reviewed and approved. See Council Actions.

The Work Session Minutes from February 18, 2025, were reviewed and approved. See Council Actions.

The Closed Session Meeting Minutes from February 18, 2025, were reviewed and approved. See Council Actions.

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

Mayor Furman acknowledged members from Boy Scout Troop 8, who were present to work on their Communication Merit Badge.

#### **February 18, 2025, Closed Session**

The Mayor and Council held a Closed Session on Tuesday, February 18, 2025, at 4:03 pm, pursuant to State Government Article §3-305 (b)(1)(ii) to consult with the Town Attorney with regards to a personnel matter and Article §3-305 (b)(3) to consider the acquisition of real property for a public purpose and matters directly related to the acquisition. No Actions were taken. The meeting adjourned at 5:24 pm. See Closed Meeting Form.

#### **February 18, 2025, Council Work Session**

The Mayor and Council held a Work Session on February 18, 2025, to discuss the FY26 Budget and funding priorities. See attached notes on CIP funding priorities.

#### **Maryland House & Garden Pilgrimage (MHGP) Tour**

Lindsey Field, Noyes Library Foundation, gave an overview of the Noyes Library history and proposed renovation, which includes ADA accessibility; the renovation will retain the storybook exterior and the historic main reading room; and Washington Landmark Construction has been awarded the contract.

Kate DeWitt, President of Kensington Historical Society, stated the Town has been selected to represent Montgomery County for the 2026 MHGP Tour. The Tour will showcase the Town and include a luncheon; tours of private homes and gardens, the business district, and many areas of historical interest in Town; attract people statewide; and raise money for the Noyes Children Library Foundation, the featured preservation project.

#### **Resilience Action Plan (Green Bank)**

Council Member Engle stated the Town was approached by the Green Bank to see if the Town was interested in their new program relating to the resilience side of climate change. Sustainable Kensington reviewed the resilience needs of the Town relating to climate change and drafted a scope of work for review to create a resilience action plan to enhance stormwater management and flood risk management.

Laura Mondragon from Green Bank and Tracy Kaufman from PreCollective gave an overview of their advisory role, which will be at no cost, to help the Town establish a Resilience Action Plan for storm water management.

The Council concurred to move forward with the Green Bank and PreCollective to create a Resilience Action Plan to enhance storm water management.

### **3740 University Blvd. – Proposed Cannabis Dispensary**

The Mayor and Council discussed the proposed location for the cannabis dispensary.

Town Attorney Ferguson confirmed that the Town does not have zoning authority with respect to this matter.

Mayor Furman and Council Member Crimmins stated there is a place of worship within 500 feet of 3740 University Blvd., which would not meet the required distance for a dispensary.

Town Attorney Ferguson will work with the Town Manager to send a factual letter to the Maryland Cannabis Administration, advising them of the place of worship located within 500 feet of 3740 University Blvd.

John Anderson spoke in opposition to the cannabis dispensary.

### **More Housing N.O.W. (Montgomery County)**

The Mayor and Council discussed the More Housing N.O.W. Zoning Text Amendment (ZTA 25-02) and reviewed concerns for a letter that needs to be sent by March 25.

The Council stated that the proposed ZTA would only apply to six lots in Town along Connecticut Avenue. The Town Attorney will draft a letter to circulate for Council review noting general support for the ZTA and addressing similar concerns of the other municipalities including that it would not apply in the historic district and the importance of the Summit Avenue Extension. [Subsequently, the letter that was sent stated that it would not apply to historic structures/properties not the entire historic district.]

### **Mayor and Council Reports**

The Parking Task Force will be meeting on March 13 at 7:30 pm and Sustainable Kensington will be meeting on March 19 at 7:30 pm.

Council Member Crimmins stated he, along with Mayor Furman, attended a Hearing of the County's Transportation and Environment Committee; all three members of the Committee advocated for the Summit Avenue Extension to be fully restored in the CIP budget and not removed again; this would allow construction to be completed by 2031.

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

**Ordinance No. O-01-2025** – An Ordinance of the Mayor and Council of the Town of Kensington Authorizing the Sale of Certain Real Property located at 3420 Plyers Mill Road, Kensington, Maryland, that is no longer needed for a public purpose was presented for adoption. See Council Actions.

Town Manager Hoffman stated a Public Hearing was held on February 12, 2025, and the Public Record closed on Friday, March 7, 2025.

Council Member Bartram amended the Ordinance to add: “Whereas, While the acquisition will require additional Council Action in the future, it is the Council’s expectation that the Town will soon acquire additional land that includes greenspace for public enjoyment, growth of tree canopy, and stormwater management, and that offsets by at least 1:1 the amount of land that comprises the property; and Whereas, the adoption of this ordinance, especially after consideration of the property’s small size and level of use, does not set any precedent with respect to the sale of other parks within the Town of Kensington.” See Council Actions.

Town Attorney Ferguson stated the Ordinance was also amended to add in Section 1 “Which is determined to be no longer required for a public use”.

Council Member Lichter spoke against selling Joseph Park, she stated she reviewed the financial impact relating to the CIP budget, financial alternatives, and proposed acquisition opportunities and without selling the Park the Town could proceed with a fair amount of the priority work; if it is sold it should be contingent on obtaining green space first; and due to the uncertainty of future projects does not think the Town has reached the point where it needs to sell the Park.

Council Member Engle spoke against selling Joseph Park, he stated that there were valid arguments on both sides, there is uncertainty about future projects’ timing and cost, and did not see selling the park as a last resort at this time. He noted the need for securing other dedicated financing sources for the growing list of capital improvements projects, particularly those related to stormwater management.

Council Member Crimmins spoke in support of selling Joseph Park, and noted the small size and limitations of the land, proximity to the Town’s largest park (St. Paul Park), the lack of accessibility to the site, proceeds would be used to acquire more green space within the same vicinity and to fund the CIP for the future public works building, and the best use of Joseph Park would be a residential lot.

Council Member Bartram spoke in support of selling Joseph Park, he stated that it is not the last undeveloped lot in the Joseph Park parcel, the park is not used, the Kensington Crossing HOA lot is a better location for a park, and selling Joseph Park does not set a precedent.

Mayor Furman spoke in support of selling Joseph Park due to the uncertainty, the need for the funds for other projects, and the opportunity to make two additional parks on the north side of Town that can be activated.

Please see the Audio recording of the March 12, 2025, Council Meeting for the Council’s complete analysis: <https://archive.org/details/2025-03-12-Town-Council-Meeting>.

**Ordinance No. O-02-2025** – An Ordinance of the Mayor and Council of the Town of Kensington to Appropriate and Adopt the Fiscal Year 2025 – 2026 (FY26) 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 was introduced. See Council Actions.

A Community Budget Forum will be held on Wednesday April 9, 2025, at 6 pm with the Public Hearing at 7:30 pm.

**Ordinance No. O-03-2025** – An Ordinance of the Mayor and Council of the Town of Kensington to Amend Chapter V, “Housing and Building Regulations”, by enacting Article 7, “Transient Lodging Facilities”, to Incorporate Chapter 54, of the Montgomery County Code entitled “Transient Lodging Facilities”, which contains various provisions to protect, regulate and license hotels, bed and breakfast, and short-term residential rentals and to make conforming changes was introduced. The Public Hearing has been scheduled for Wednesday, April 9, 2025, at 7:30 pm. See Council Actions.

Town Manager Hoffman stated Montgomery County stopped enforcing Chapter 54 for the Town following clarification of regulations by the Department of Housing and Community Affairs. The adoption of this ordinance would allow the Town to opt into Chapter 54 and defer to the County to enforce Chapter 54.

**Resolution No. R-06-2025** – A Resolution of the Mayor and Town Council of Kensington Confirming Appointments made by the Mayor to the Board of Supervisors of Elections was presented. See Council Actions. The Resolution is to reappoint Martha Deale, Spencer Harrill, and Robin Watson for a one-year term.

**Resolution No. R-07-2025** – A Resolution of the Mayor and Town Council of Kensington Authorizing a Contract with Mulheron Tree Experts, Inc., for Soil Care Fertilization and Tree Pest Management for certain trees within Town Parks and the Public Right-of-Way in an amount not to exceed \$16,525.00 was presented. See Council Actions.

**Resolution No. R-08-2025** – A Resolution of the Mayor and Town Council of Kensington Authorizing the Purchase of a new 12’ Flatbed Dump Body for the Ford F-550, from PJ’s Truck Bodies & Equipment Co. was presented. See Council Actions.

The Community Budget Forum will be held on April 9, 2025, at 6 pm and the Town Meeting will follow at 7:30 pm. The May Town Meeting will be on Wednesday, May 7, 2025, at 7 pm.

### **Council Actions**

Council Member Crimmins moved to approve the Town Meeting Minutes from February 12, 2025. The motion passed unanimously.

Council Member Crimmins moved to approve the Work Session Minutes from February 18, 2025. The motion passed unanimously.

Council Member Crimmins moved approve the Closed Session Minutes from February 18, 2025. The motion passed unanimously.

Council Member Bartram moved to amend Ordinance O-01-2025 to include “Whereas, while the acquisition will require additional Council Action in the future, it is the Council’s expectation that the Town will soon acquire additional land that includes greenspace for public enjoyment, growth

of tree canopy, and stormwater management, and that offsets by at least 1:1 the amount of land that comprises the property; and Whereas, the adoption of this ordinance, especially after consideration of the property's small size and level of use, does not set any precedent with respect to the sale of other parks within the Town of Kensington" and to include " Which is determined to be no longer required for a public use" to Section 1. The motion passed unanimously.

Council Member Bartram moved to adopt Ordinance No. O-01-2025 as amended Authorizing the Sale of Certain Real Property located at 3420 Plyers Mill Road, Kensington, Maryland, that is no longer needed for a public purpose. Council Members Bartram and Crimmins voted in favor of the motion. Council Members Engle and Lichter voted against the motion. Mayor Furman voted in favor of the motion. The motion passed 3 to 2.

Council Member Bartram moved to introduce Ordinance No. O-02-2025 to Appropriate and Adopt the Fiscal Year 2025 – 2026 (FY26) 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 and to set a Public Hearing for April 9, 2025 at 7:30. The motion passed unanimously.

Council Member Crimmins moved to introduce Ordinance No. O-03-2025 to Amend Chapter V, "Housing and Building Regulations", by enacting Article 7, "Transient Lodging Facilities", to Incorporate Chapter 54, of the Montgomery County Code entitled "Transient Lodging Facilities", which contains various provisions to protect, regulate and license hotels, bed and breakfast, and short-term residential rentals and to make conforming changes and set the Public Hearing for April 9, 2025 at 7:30 pm. The motion passed unanimously.

Council Member Lichter moved to adopt Resolution No. R-06-2025 Confirming Appointments made by the Mayor of Martha Deale, Spencer Harrill, and Robin Watson to the Board of Supervisors of Elections for a one-year term. The motion passed unanimously.

Council Member Engle moved to adopt Resolution No. R-07-2025 Authorizing a Contract with Mulheron Tree Experts, Inc., for Soil Care Fertilization and Tree Pest Management for certain trees within Town Parks and the Public Right-of-Way in an amount not to exceed \$16,525.00. The motion passed unanimously.

Council Member Lichter moved to adopt Resolution No. R-08-2025 Authorizing the Purchase of a new 12' Flatbed Dump Body for the Ford F-550, from PJ's Truck Bodies & Equipment Co. The motion passed unanimously.

Council Member Engle moved to adjourn the meeting at 10:05 pm. The motion passed unanimously.