APPROVED: Meeting No. 27-80
ATTEST: Helen M Heneghan

MAYOR AND COUNCIL
ROCKVILLE, MARYLAND
Meeting No. 21-80

June 2, 1980

The Mayor and Council of Rockville, Maryland, convened in general session in the Council Chamber, Rockville City Hall, Maryland at Vinson Street, Rockville, Maryland, on Monday, June 2, 1980 at 8:00 p.m.

PRESENT

Mayor William E. Hanna, Jr.

Councilman Steve Abrams
Councilman John Freeland
Councilwoman Phyllis Fordham
Councilman John Tyner

The Mayor in the Chair.

In attendance: City Clerk Helen Heneghan, City Attorney Roger W. Titus, City Manager Larry Blick, Assistant City Attorney Francis Lacey, Director of Budget Anna Lee Berman, Director of Finance John Lawton, Director of Planning James M. Davis, Public Information Officer Sue Patterson, Director of Community Development and Housing Assistance Douglas Horne, Director of Recreation and Parks Ron Olson.

Re: City Manager's Report

Mr. Blick reported the following:

1. The City Manager and the directors of Public Works and Recreation and Parks met last week with Bouldercrest Court residents and discussed storm water management in that area. A report will be coming to the Council.

2. Mr. Blick introduced Theresa Lin of the Finance Department who became a United States citizen last Friday.

3. The City Attorney announced that on May 27, 1980, in the case of Monk v. The City of Rockville, the Court of Special Appeals upheld the City's ability to condemn property outside of the City. The property in question is land needed for the widening of Seven Locks Road.

Re: Proclamation Recreation and Parks Month

Proclamation No. 5-80

There being no objection from the Council, Mayor Hanna proceeded to issue Proclamation No. 5-80, proclaiming the Month of June as Recreation and Parks Month in the City of Rockville. Councilman Tyner read the Proclamation at the request of the Mayor in which it was urged that all citizens take advantage of the Rockville Recreation and Parks plan at all times. Patricia Lawwill, Chairman of the Recreation and Parks Board, accepted the Proclamation.

Re: Presentation

Mayor Hanna and the Council presented a plaque to Mr. Robert Gring, Manager of the Commons at Courthouse Square to thank him for his outstanding service to the City at all times and more specifically at the Martin Luther King event staged last January.

Re: Introduction of Ordinance: To authorize the issuance and sale of Three Million Five Hundred and Ten Thousand Dollars ($3,510,000) aggregate principal amount of its serial maturity, general obligation coupon bonds designated "General Improvement Bonds, Series 1980", said bonds to be issued and sold and the proceeds thereof to be disbursed for the public purpose of financing the municipal improvements described in this Ordinance; authorizing the City Manager to award said bonds and set the interest rates thereon in accordance with the provisions of this Ordinance; providing for the disbursement of the proceeds of said bonds; providing that said bonds shall be payable primarily from certain revenues and receipts of the City from designated assessments and charges; providing for the levy and collection of assessments, charges, other impositions, and all ad valorem taxes necessary to provide for the payment of the interest on said bonds and to pay the principal of said bonds as they become due, such taxes to be levied upon all property subject to assessment for unlimited municipal taxation within the corporate limits of the City of Rockville; providing that the proceeds of said bonds, or any monies which may be deemed proceeds, will not be used in a manner which would cause such bonds to be "arbitrage bonds"; and generally providing for the issuance, sale and delivery of such bonds.

On motion of Councilman Freeland, there was introduced upon the table an ordinance authorizing the issuance and sale of $3,510,000 aggregate principal amount of its serial maturity, general obligation, coupon bonds designated "General Improvement Bonds, Series 1980".

Re: Authorization for City Manager to enter into contract with Arthur Cotton Moore for the design of Courthouse Square and areas of North Washington Street.

On motion of Councilwoman Fordham, duly seconded and unanimously passed, the City Manager is authorized to negotiate a contract with Arthur Cotton Moore/Associates for (1) design, preparation of bid documents and appropriate follow-up inspection during construction of the Courthouse Square roadway; and (2) design and preparation of bid specifications and appropriate inspection during construction of the sidewalk areas of the North Washington Street project. Any proposed contract will be placed on a future agenda for Mayor and Council consideration.

Re: Authorization to purchase property for the construction of Dover Road.

The Mayor and Council has been given an Offer of Sale of Land contract for the purchase of property from the Washington Gas Light Company which is needed for the extension of Dover Road from North Horners Lane to Gude Drive. The property consists of two parcels containing 1,623 square feet and also a temporary construction and slope easement. The contract is in the amount of $6,300.

The needed property was the subject of an independent professional real estate appraisal by Mr. E. L. Dieudonne, Jr., SRA, and the contract has been reviewed by the office of the City Attorney as to form and legality.

On motion of Councilman Freeland, duly seconded and unanimously passed, the contract was approved by the Mayor and Council.

Re: Citizen's Forum

The Mayor opened the meeting to those citizens who wished to address the Mayor and Council.

1. Zoel Radner. Mr. Radner reminded the Mayor and Council that Montgomery County is going forward with an anti-litter tax on containers. He asked if the Mayor and Council will be considering this. Mayor Hanna said there is no move to consider such legislation at this time. Mr. Radner said he has written to Mr. Kasoff

of the Maryland Department of Transportation concerning the extension of Montrose Road which will be cutting through from Seven Locks to Falls Road. He asked if the City is interested in this activity although it is outside the City limits. Mayor Hanna said the City monitors all action that abuts the City. Councilman Tyner told Mr. Radner that he is a member of the intercounty connector committee that is also considering roadways outside of the City and he will keep Mr. Radner informed of meetings. Mayor Hanna thanked Mr. Radner and asked that any information he receives from the State be passed on to the City.

2. Mr. Michael Gordon. Mr. Gordon told the Mayor and Council that he is here this evening to introduce a new organization to the Council. It is the Rockville Civic Federation and is made up of the various civic associations. The organization plans to work with the City to pursue common goals. Mr. Gordon stated he is the President and he introduced the President elect, Mr. Stephen Fisher, and Vice President, Mary Corley. Councilman Tyner asked that the names and addresses of the officers be given to the City Clerk so that they can be included for all mailings. Mr. Gordon said the organization is planning to develop a civic association directory. It should be ready by fall.

There being no other citizen wishing to be heard, the Mayor closed the citizen's forum portion of the meeting.

Re: Correspondence

The Mayor and Council noted the following items of correspondence:

1. Invitation to Open House at Institute for Children and Adolescents.
2. Historic Research Association offer to contract for research project.
3. Catherine Maloney re neighborhood problem.
4. Congressman Barnes re La Stresa Restaurant.
5. Senator Mathias re response to Mayor's letter.
6. County Executive Gilchrist re school sites.

   Mayor Hanna explained that the City had asked Montgomery County for the right of first refusal for the College Gardens site. He read the response of the County Executive which said the City would be welcome to comment, but did not grant first refusal.

7. Montgomery County re use of 209 Monroe Street.
8. Governor Hughes re HB 1678
9. Mr. and Mrs. Singer re Commons.
10. Peerless Rockville re thankyou for time.
11. P. Kelbaugh, re recreation programs.
12. W. L. Sullivan re newspaper and trash collection (2 letters).

13. Peerless Rockville president, re lack of police assistance.

    Councilman Tyner asked that the City Manager look into this. Mayor Hanna said that this had been discussed at the work session on Saturday and it is a type of service that is just not available to private organizations. There is no way the City can divert its police man power for a fund raising function. Councilwoman Fordham said that the police chief has suggested the Explorer Scouts are available for that type of thing and they should be asked in the future.

14. Notice of Board of Public Works grant for Academy from Lt. Gov. Bogley.

    Councilman Abrams noted that he went to Annapolis the day the grant was discussed and he saw the product of the work that was done by members of the City staff and by Rockville citizens. He said it is thanks to their efforts that a newly elected councilman had an easy time.

Re: Information Items

The Mayor and Council noted the following information items:

1. Copy of letter from Fallsmead Homes re storm water problem.
2. Memo from Assistant City Manager re CATV application process.
3. Memo from Police re use of County Animal Shelter.
4. Project Status Report - I-370.
5. Memo from CDHA re Dawson Adams housing.
6. Project status report - Public Works.
7. Copy of MNCPPC response to citizen request.
8. Preliminary results of citizen survey on newsletter.
9. Memo re Amendment to Master Plan.
10. Memo from CDHA re Rental increase at Town Center apartments.
11. Memo from CDHA re Private investment for public ownership.
12. Copy of EDC letter protesting County development at Shady Grove.

(At this time the Mayor and Council took a 5 minute recess)

Re: Public Hearing - Proposed FY81 Operating Budget, Capital Improvements Program and Use of General Revenue Sharing Funds and the levy of a tax rate higher than Constant Yield Tax Rate.

The Mayor and Council conducted a combined public hearing on the operating budget, capital improvements program, use of general revenue sharing funds and a levy of a tax rate higher than the constant yield tax rate and heard those persons as will be found in the official stenographic transcript of the hearing. There being no other citizen wishing to be heard, the Mayor continued the hearing until Tuesday, June 3, at 8:00 p.m.

Re: Public Hearing - Areas of Critical State Concern

The Mayor and Council conducted a public hearing on areas of critical state concern and heard those persons as will be found in the official stenographic transcript of the hearing. There being no other persons wishing to be heard, the Mayor closed the hearing and announced that that the record will be held open for two weeks.

Re: Public Hearing - Text Amendment Application T-33-80, Mayor and Council, Applicant, to amend Chapter 6 of the Laws of Rockville, Sections 5-413 and 5-420 governing hearing and withdrawal of exploratory applications for Planned Residential Units.

The Mayor and Council conducted a public hearing on Text Amendment Application No. T-33-80 and heard those persons as will be found in the official stenographic transcript of the hearing. There being no other persons wishing to be heard, the Mayor closed the hearing and announced that the record will be held open for one week.

Re: Public Hearing - Text Amendment Application, T-34-80, Mayor and Council Applicant, to amend Chapter 6 of the Laws of Rockville, Section 5-421, Detailed application for Planned Residential Units, allowing reconsideration of approval if the property is not developed in specified periods of time.

The Mayor and Council conducted a public hearing on Text Amendment Application No. T-34-80 and heard those persons as will be found in the official stenographic transcript of the hearing. There being no other persons wishing to be heard, the Mayor closed the hearing and announced that the record will be held open for one week.

Re: Public Hearing - Text Amendment Application, T-35-80, Mayor and Council, Applicant, to amend Chapter 6 of the Laws of Rockville, Section 3-403, increasing the parking requirement for housing for the elderly.

The Mayor and Council conducted a public hearing on Text Amendment Application No. T-35-80 and heard those persons as will be found in the official stenographic transcript of the hearing. There being no other persons wishing to be heard, the Mayor closed the hearing and announced that the record will be held open for one week.

Re: Approval of Minutes

On motion of Councilman Freeland, duly seconded and unanimously passed, the minutes of meeting No. 11-80 were approved as written.

On motion of Councilman Tyner, duly seconded and unanimously passed, the minutes of meeting No. 12-80 were approved as written.

On motion of Councilman Freeland, duly seconded and unanimously passed, the minutes of meeting No. 13-80 were approved as written.

On motion of Councilman Tyner, duly seconded and unanimously passed, the minutes of meeting No. 14-80 were approved as written.

On motion of Councilman Tyner, duly seconded and unanimously passed, the minutes of meeting No. 15-80 were approved as written.

On motion of Councilman Freeland, duly seconded and unanimously passed, the minutes of meeting No. 16-80 were approved as written.

Re: Executive Session

There being no further business to come before the Council in General Session, the meeting was adjourned at 11:30 p.m. to discuss litigation in Executive Session.

Re: Adjournment

There being no further business to come before the Mayor and Council in Executive Session, the meeting was adjourned at 12:15 a.m. to convene again for public hearing on Tuesday June 3, at 8:00 p.m.