APPROVED: MEETING NO. 20-84

ATTEST: Helen M Heneghan

MAYOR AND COUNCIL

ROCKVILLE, MARYLAND

MEETING NO. 15-84

May 29, 1984

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 Tuesday, May 29, 1984, at 8:10 p.m.

PRESENT

Mayor John R. Freeland

Councilman Steve Abrams

Councilman Douglas Duncan

Councilwoman Viola Hovsepian

Councilman John Tyner, II

The Mayor in the Chair.

In attendance: City Manager Larry Blick; City Clerk Helen Heneghan; City Attorney Paul Glasgow.

Re: City Manager's Report

Mr. Blick reported the following:

1. The traffic controls have been installed at the intersection of Fleet and Monroe. They will be operating soon.

Councilman Tyner said the three bills sponsored by the Maryland Municipal League were signed by the Governor today. Signed today was the downtown assessment bill which is of particular importance to the City.

Re: Citizen's Forum

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

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

Re: Introduction of Ordinance: To Appropriate Funds and Levy Taxes, FY 85

On motion of Councilwoman Hovsepian there was introduced upon the table an ordinance appropriating funds and levying taxes for FY 85, said ordinance to lay over at least one week before final action is taken.

Re: Introduction of Ordinance: To Amend Section 7-2.17 of Chapter 7, entitled Water and Utilities, to amend the sewer usage charge

On motion of Councilman Duncan, there was introduced upon the table an ordinance amending Section 7-2.17 of Chapter 7, amending the sewer usage charge, said ordinance to lay over at least one week before final action is taken.

Re: Public Hearing: Proposed Operating Budget for FY 85, Proposed CIP FY85-90, Intent to Raise the Tax Rate above the Constant Yield Rate and Proposed Use of General Revenue Sharing Funds

The Mayor and Council conducted a public hearing on the proposed operating budget for FY85, the proposed Capital Improvements Plan for FY 85-90, the intent to raise the tax rate above the Constant Yield Tax Rate and the proposed use of general revenue sharing funds 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 Monday, June 4, 1984, at 8:00 p.m.

Re: Approval of Year 1 Plan for programming on Rockville Municipal Channel

This is a plan submitted to the Mayor and Council in work session and reviewed by them. Councilman Tyner suggested that, in the section that refers to the capabilities for Spanish translation, the word "can" be changed to "will". It was Councilman Tyner's suggestion that the intent should be that where appropriate we carry the Spanish text. Mayor Freeland suggested that as the City sees the needs of an audience it may wish to reach, it can tailor the service according to that need. Councilman Tyner pointed out that in the 1980 census there was a 5 percent Spanish speaking population and it could have grown so it will be appropriate. Councilman Abrams suggested that in the first year it is his concern that the City stay within the budget of funds it hopes to generate. Councilman Tyner asked for an explanation of the improvements to be made at City Hall. Mr. Vandrey explained the upgrading of lighting in the Chamber, etc. that will be necessary. Councilman Duncan commented the Citizen's Advisory Committee would be used in Phase II. Councilman Tyner requested the staff forward him with the list of municipal sources used to work up this material.

On motion of Councilman Abrams, duly seconded and unanimously passed, the Year I plan for programming on Rockville Municipal Channel was approved.

Re: Resolution: To allow withdrawal of exploratory application, RTH-4-83, Orchard Ridge Town-house Development

Resolution No. 21-84

On motion of Councilman Abrams, duly seconded and unanimously passed, Resolution No. 21-84, the full text of which can be found in Resolution Book No. 8 of the Mayor and Council, allowing the withdrawal of exploratory application RTH-4-83, was approved by the Mayor and Council.

Re: Approval of request to State Highway Administration and Montgomery County to install traffic signals at various locations

The Traffic and Transportation Commission has submitted recommendations to the Mayor and Council, suggesting the City take a formal position supporting traffic signals on Rockville Pike at its intersection with Talbott Street and Templeton Place. The Mayor and Council has taken a formal position favoring a new signal at Falls Road and Kersey Lane contrary to the original recommendation of the Traffic and Transportation Commission. However, in consideration of the overwhelming support of area citizens for the signal, the Traffic and Transportation Commission agrees to support the Mayor and Council's position. They do suggest, however, that the signal have a supplemental device to promptly warn north bound drivers coming over the hillcrest or better yet urge the State to reconstruct the road and lower the hillcrest in the process. It is suggested that the City continue to stand squarely behind the staff's efforts to have the State Highway Administration modify the existing traffic signal at Veirs Mill Road and Edmonston Drive. The Commission noted that a signal at the intersection of Gude Drive and Dover Road would be an asset to the City. And finally, the Commission suggest the City support the efforts of the citizens of North Farm for the addition of a left turn phase from east bound Montrose Road to north bound Monroe Street. Mayor Freeland asked that a letter be drafted for his signature addressing these items.

On motion of Councilman Abrams, duly seconded and unanimously passed the Mayor and Council agreed to support the Traffic and Transportation Commission's recommendations.

Re: Award of Contract:
Bid No. 59-84 -
Rockville Newsletter

The subject invitation for bid was issued for the purpose of obtaining a company to print the Rockville Newsletter.

The bids were opened at 3:00 p.m. on May 18, 1984 in the Mayor and Council Chamber. Two bids were received:

Company	Total Bid
The Record, Silver Spring, MD	$15,746.50
Comprint, Inc, Gaithersburg, MD	$25,510.00

Sufficient funds exist within the budget for this action.

The contract also contains a provision to extend the term of the contract by mutual agreement between the City and the Company for two additional one (1) year periods (option periods) by notice to the contractor not less than thirty (30) days prior to each of the option periods. The option periods are July 1, 1985 - June 30, 1986 and July 1, 1986 - June 30, 1987.

The price may be increased or decreased each option period provided there is a change in the cost of paper or labor. Such price change is also to be by mutual agreement. The City may either accept or reject the new pricing. If rejected, the contract will not be extended for the option period.

The Record Company is currently printing the Rockville Newsletter and has been performing satisfactorily for the City.

It is hereby recommended that the Record Company be awarded the Contract in the amount of $15,746.00 for the period July 1, 1984 - June 30, 1985 with the option to extend the Contract for two (2) additional one (1) year periods by mutual agreement.

On motion of Councilman Tyner, duly seconded and unanimously passed the Mayor and Council approved the award of Bid No. 59-84 to the Record Company in the amount of $15,746.00 for the period July 1, 1984 - June 30, 1985 with the

option to extend the Contract for two (2) additional one (1) year periods by mutual agreement.

Re: Correspondence

The Mayor and Council noted the following items of correspondence:

1. Del. Mary Boergers, re Arts Awards

2. Del. Forehand, re improvements to Rt. 28

3. Combined Civic Associations re development of Oakridge School site

Councilwoman Hovsepian noted that this matter is well spoken to by the civic groups yet she referred to Information Item No. 1 and it would seem that Montgomery County has assumed that the City will rezone the property to I-3. She said she has a sense of frustration with the direction of these actions. Mayor Freeland noted that Montgomery County has involved the City in many discussions with the Company that would like to locate here. This comes down to a question of working with Montgomery County or taking a separate route. It is most difficult to satisfy all parties of interest. Councilwoman Hovsepian suggested if more jobs come to the City the City should look to providing houses for the workers. Mayor Freeland noted that R-90 Development which is the current zoning will not solve the issue of affordable housing. The only affordable housing to be constructed on that site would be high rise. At the same time numerous tax payer's dollars are being spent to buffer the I-270 corridor and it would seem to be a contradiction to the attempt to place residences next to the same road. Councilwoman Hovsepian said she is concerned about the process because the people need to be heard from and the neighborhood plan must be discussed. Mayor Freeland said the people will be heard from because the zoning will not be changed without a public hearing. He does know that the neighborhood plan in that area made assumptions beyond the neighborhood plan border. Mr. Davis spoke and outlined the process of the neighborhood plan adoption to the Council. Since there are two neighborhood plans to deal with in this particular area, Neighborhood 3 and Neighborhood 12, at the same time, a text amendment from Planning 12 may be submitted showing a new zoning ordinance classification, an I-3 or I-4 Semi-Euclidean zone. He noted that there are six to eight weeks of activity involved in this process and there would possibly be no decision made until some time in the fall. Right now Montgomery County is asking the City if they care to purchase the land and with several hundred acres of land involved there is no way the City can do that.

Councilman Tyner said some thought should be given to a Hungerford/Stoneridge neighborhood meeting once the materials are submitted. Mayor Freeland said when the materials are submitted it will be necessary for Mayor and Council to reach out to the entire community since this one action has a farreaching effect on the whole City.

4. JoAnn Mazzetta, re HRC/RHA cooperation

5. TCA re McCormick Paint on Lewis Avenue

Councilwoman Hovsepian asked its status. Mr. Davis said the McCormick paint company has been advised in writing of the problem but no response has been received yet. Councilwoman Hovsepian asked if there is any comment from the staff. The City Manager said he would get back with a report.

6. A. Johnson re motor fuel island signs

Councilwoman Hovsepian asked for staff information on this.

7. J. H. Maroldo, re refuse truck incident

Councilwoman Hovsepian asked the status City Manager said he would get back with a report.

8. Bourdon & Horton, re suit

9. Richard Ferrara, re use of CDBG funds

Councilwoman Hovsepian asked what is the current process. The City Manager explained that at the present time the City requests specific funding. Now the County is discussing an entitlement based on population and if that is accomplished it will be necessary to have a public hearing.

10. J. Gegan, RHA, commending employees Mr. Horne and Mr. Duffy

Re: Information Items

1. Copy of letter from County Executive to MNCPPC re sale and reuse of Oakridge and Poor Farm sites

2. Copies of correspondence from New Mark Homeowners re opposition to I-270 projects

3. Response to citizen complaint

4. Student Evaluation of Student Government project

5. Information on Testing Publicity Effectiveness from PIO

6. Letter to Montrose Civic Assn. from Traffic Engineer re signalization

Re: New Business

1. Councilwoman Hovsepian suggested the Mayor and Council request an Environmental Impact Statement for the I-270 widening and suggested the State look for additional alternatives other than the two mentioned. Mayor Freeland noted that any Environmental Impact Statement done will show that the road now

exceeds the quality that there should be and the only way to improve it is to widen it. Council continued discussion. Councilwoman Hovsepian moved that the City require the State to provide Environmental Impact Statement and consider a third alternative. Councilman Abrams seconded the motion. The Council discussed this at length and the City Manager suggested it be further discussed in Executive Session due to the potential of litigation. Councilwoman Hovsepian withdrew her motion, the seconder, Councilman Abrams, agreed.

3. Councilman Tyner noted that the Maryland Municipal League has suggested that the City flag and stand be brought to the MML for the annual meeting. He asked that this be done. Councilman Duncan offered to carry both items to Ocean City. The Mayor and Council agreed to send the flag and flag pole from the Council Chamber.

4. Councilman Duncan noted that American Legion Post 86 has asked if they might have the Vietnam Memorial that belongs to the City in order that they may update it and display it in their building. The Mayor and Council agreed.

Re: Approval of Minutes

On motion of Councilman Abrams, duly seconded and unanimously passed, the Minutes of Meeting No. 12-84, April 30, 1984, were approved as written.

On motion of Councilman Duncan, duly seconded and unanimously passed, the Minutes of Meeting No. 13-84, May 7, 1984, were approved as written.

Re: Work Session on Budget

EXECUTIVE MANAGEMENT

Planning Department

Councilman Duncan asked Mr. Davis he feels he has enough staff to accomplish the work that needs to be done or is the department so stretched that to add any item throws everything back? The City Manager suggested that there can be too many projects given to that department. It might be necessary for the Mayor and Council to reduce the projects and to not add too many; however, if they decide they could add one planner for two years and that way the Mayor and Council could just do the jobs that really count. The second suggestion was

to add $20,000 for a Planner who could be brought in when needed. This will be placed on the wish list.

Re: Executive Session

On motion of Councilman Abrams, duly seconded and unanimously passed, the meeting was closed for Executive Session for consultation with the Counsel.

Re: Adjournment

There being no further business to come before the Council in Executive Session the meeting was adjourned at 1:00 a.m. and to convene again in general session on Monday, June 4, 1984, at 8:00 p.m. or at the call of the Mayor.