APPROVED: MEETING NO. 34-85

ATTEST: Helen M Heneghan

MAYOR AND COUNCIL

ROCKVILLE, MARYLAND

MEETING NO. 29-85

May 20, 1985

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, May 20, 1985, at 8:00 p.m.

PRESENT

Mayor Viola Hovsepian

Councilman Steve Abrams

Councilman Peter Hartogensis

Councilman Douglas Duncan

Councilman John Tyner, II

The Mayor in the Chair.

In attendance: Assistant City Manager Dan Hobbs; City Attorney Paul Glasgow; Secretary to the City Clerk Patricia Rager.

Re: City Manager's Report

Mr. Hobbs reported the following:

1. Ms. Betty Cheslosky, Arts Supervisor, has asked to come forward in order to present to the Council the winners of the 1985 Photo Contest depicting a day in Rockville. Ms. Cheslosky explained that the photo contest was held only on one day, March 21, the first day of spring and that the photograph had to be taken in Rockville. She then introduced the two winners. In the 18 and under category for best black and white picture the winner was David Pommerance. In the 19 and up category for best color picture, the winner was Torrence Thomas. Mayor Hovsepian presented each winner with a $50 savings bond and a certificate from the City.

Re: Introduction of Ordinance: To establish Penalty Rates for Late Payment of Property Taxes and Penalties and Interest on Special Assessments

On motion of Councilman Abrams, there was introduced upon the table, an ordinance to establish penalty rates for late payment of property taxes and penalties and interest on Special Assessments, said ordinance to lay over at least one week before final action is taken.

Re: Award of Contract for Rockville Pike Retail Study

This request for purchase was issued for the purpose of obtaining a professional consultant to undertake a retail analysis of the Rockville Pike Corridor within the City limits. The successful consultant will also conduct and supervise a merchant survey. In addition, it is the City's intent to conduct its own shopper's survey under the supervision of the succesful consultant.

Proposals were received from five companies.

The cost proposals inclusive of the retail analysis, the merchant survey, and supervision of the shopper's survey were as follows:

Real Estate Research Corporation Washington, D.C.	$33,000
Halycon LTD Washington, D.C.	$30,000
Gladstone Associates Washington, D.C.	$29,680
Larry Smith & Co. Ltd Rockville, Maryland	$26,000
Hammer, Siler, George Assoc. Silver Spring, Maryland	$23,500

Evaluation of the technical proposals inclusive of proposals on the merchant and shoppers survey, the ability to meet the deadline, and the costs noted above for the retail analysis resulted in the following total scores as assigned by the evaluation committee:

RANKING	FIRM	TOTAL
1	Real Estate Research Corporation	89.90
2	Gladstone	69.55
3	Hammer, Siler, George Associates	68.25
4	Larry Smith & Co.	57.07
5	Halcyon Ltd.	56.25

The Evaluation Committee determined that only Real Estate Research was in the competitive range to be considered for the award. Additional discussions were held only with Real Estate Research Corporation to clarify some points in the technical proposal and to negotiate a reduction in the cost. As a result, Real Estate Research Corporation's proposal was decreased from $33,000 to $30,000.

Staff recommends that award be made to Real Estate Research Corporation in the amount of $30,000 to conduct a Retail Analysis and Merchant Shopper's Survey of Rockville Pike.

On motion of Councilman Duncan, duly seconded and unanimously passed, the Mayor and Council approved the staff's recommendation that the award be made to Real Estate Research Corporation in the amount of $30,000 to conduct a Retail Analysis and Merchant Shopper's Survey of Rockville Pike.

Councilman Abrams asked at this time if it would be appropriate for the Community Ministries presentation on REAP to be made since the Council had a few minutes before Citizens Forum and before the Public Hearing on the budget begin. It was the Council's feeling that the presentation should be given during the budget.

Re: Approval of Minutes

On motion of Councilman Duncan, duly seconded and unanimously passed, the Minutes of Meeting No. 22-85, April 22, 1985, were approved as written.

On motion of Councilman Abrams, duly seconded and unanimously passed, the Minutes of Meeting No. 24-85, May 6, 1985, were approved as written.

On motion of Councilman Abrams, duly seconded and unanimously passed, the Minutes of Meeting No. 25-85, May 7, 1985, were approved as amended.

Re: Citizen's Forum

1. Mr. Robert Jacques brought to the Council's attention the recent change made to tax assessments. The Tax Assessment Appeals Board has ruled that an increase cannot be made on ones assessment unless all the parties involve request such a change. He explained that this will mean a decline in revenue and will hurt the City's tax base. He asked if this was the appropriate time to discuss this because of the development on Rockville Pike. He knows that there will be Planning meetings coming up and if that would be a better time and place to discuss it he will wait. He wanted to alert the City that this will have an impact on the County's and the City's Revenues. The Council, the City Atorney and Mr. Jacques discussed this matter further. Mayor Hovsepian asked that the Assistant City Manager and the City Attorney look into this and get back to the Council.

2. Merle Crock, Twinbrook Neighborhood Watch Program. Mr. Crock addressed the Council concerning a problem he is having in getting Neighborhood Watch Signs from the City. He said a request was made seven weeks ago for three signs but he has not received one of them. He noted that when Officer Grasso was involved with the Neighborhood Watch Program it took about four weeks to get a sign in place. He feels seven weeks is a bit too long. He also asked to have an officer assigned to work on this program.

3. Brigitta Mullican. Mrs. Mullican spoke on behalf of the Girl Scouts in thanking Mayor Hovsepian for attending their meeting this past weekend. She noted that over 200 girls were in attendance and all were taken by the Mayor's presence. She noted that the the meeting was video taped for future use and enjoyment.

Mayor Hovsepian said she too had a delightful evening.

4. Elizabeth Hill, Lincoln Park Community. Mrs. Hill requested help from the Mayor and Council with the on going problems in Lincoln Park. She said she has just learned from Mr. Drayton that the City has scheduled a Lincoln Park Day and she expressed concern about the possibility of having more police protection on that day. Mr. Hobbs explained that $30,000 has been added in the FY 86 budget to increase the level of support in the Lincoln Park Area. A few of the ways the City might go about increasing the level of support is by having roving youth leaders to work with the young adults, keeping the center open later on the weekends to draw in the youth who might not have any place to go, and the possibility of a foot patrol in the neighborhood. He explained that this is not a "cure all" but represents a good faith attempt by the City to address this issue. Councilman Hartogensis asked if on Lincoln Park Day the City might have more police on duty. Mr. Hobbs said he will discuss this with the Chief of Police and Mr. Drayton, the Director of Community Resources.

There being no other person wishing to be heard, the Mayor closed the Citizen's Forum portion of the meeting.

Re: Public Hearing: Proposed Operating Budget, FY 86; Proposed Capital Improvements Program, FY 86-91; Proposed Use of General Revenue Sharing Funds; and Intent to Raise the Tax Rate above the Constant Yield Tax Rate

The Mayor and Council conducted a public hearing on the Proposed Operating Budget for FY 86, the Proposed Capital Improvements Program for FY 86-91, the Proposed Use of General Revenue Sharing Funds, and on the Intent to Raise the Tax Rate above 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 closed the hearing for the evening with the hearing to resume again on Tuesday, May 21, 1985, at 8:00 p.m.

Re: Correspondence

The Mayor and Council noted the following items of correspondence:

1. T. Reilly, Senior Citizens Chairman, re Planning Area 9

2. E. McGuckian, re "Identity in Change", and Archives

   Councilman Duncan said the Council is awaiting a memo from the City Clerk on the status of the Archives. Ellen Elow-Mintz said she is working on that memo and will get the information to the Council as soon as possible.

3. Maryland Historical Trust, re Preservation Planning Study

Re: Information Items

The Mayor and Council noted the following items of information:

1. Memos from CDHA and Planning re Tribune United Tower

   Councilman Abrams asked had the proper Use Permit been filed, would it have been granted. Mr. Glasgow said that is apparently the feeling of the Chief Planner. Councilman Abrams asked if the West End Association has been notified of this. Mr. Hobbs said that this will be discussed in early June by the Planning Commission. Mr. Davis is also talking with Tribune United and the County for some other possible arrangement. Councilman Abrams said it seems to him that the error seems to be one

of genuine oversight for had the procedures been followed the Use Permit would have been granted. Councilman Duncan said he thinks the two memos before the Council tonight would be sufficient enough to send to the West End Civic Association and he does not feel a letter from the Mayor is appropriate at this time. Councilman Tyner said he feels that there has been a blatant disregard for the law. He has asked the City Manager for a report on where the City stands and the remedies it could take. Councilman Abrams disagreed and said he feels it was a good faith error. The Council discussed this further. Councilman Duncan asked that the two memos be sent to the West End Civic Association and also to let them know when the Planning Commission will be discussing this item.

2. Memo from Recreation and Parks re Subminimal Wage Impact

Councilman Abrams asked if anything else will come back to the Council on this subject. Mr. Hobbs said the staff has followed up on the Council's request. Letters have been sent the City's representatives in Congress and in the Senate.

3. Information on Rockville Pike Corridor

Councilman Tyner asked who was the author of this report. Mr. Hobbs said he will get that information for him.

4. Information from CDHA re Parking at Twinbrook Mart

5. Public Works Department Status Report

6. Letter from Rockville Seniors Inc.

7. Recreation and Parks Project List

8. Use Permit Applcation - Rozansky and Kay

9. Letter commending Police

10. Letter to County requesting information on environmental control

11. Memo re bus service in Montrose Area

12. Memo re landscaping at Woodley Court

13. Information on Montgomery College Parking

Re: New Business

1. Mayor Hovsepian said she would like to take action tonight on Mrs. Mullican's request during the budget hearing to spend the unused funds from last year's Sister City Task Force's budget.

On motion of Councilman Abrams, duly seconded and unanimously passed, the Sister City Task Force was authorized to reprogram their unused funds from last year towards the display of photographs sent from Pinneberg, Germany.

Re: Adjournment

There being no further business to come before the Mayor and Council, the meeting was adjourned at 10:50 p.m. to convene again in general session on Tuesday, May 21, 1985, at 8:00 p.m. or at the call of the Mayor.