APPROVED: Meeting No. 32-87

ATTEST: Helen McGeneghen

MAYOR AND COUNCIL

ROCKVILLE, MARYLAND

MEETING NO. 07-87

February 9, 1987

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, February 9, 1987, at 8:00 p.m.

PRESENT

Mayor Steven Van Grack

Councilman Steve Abrams

Councilman Jim Coyle

Councilman Douglas Duncan

Councilman Peter Hartogensis

The Mayor in the Chair.

In attendance: City Manager Richard Robinson, City Clerk Carol Kachadoorian, and Assistant City Attorney Frank Lacey.

Re: Invocation

The invocation was provided by Dr. Antoinette Hastings, Provost, Montgomery College.

Re: City Manager's Report

City Manager Richard Robinson reported the following:

1. The City's Finance Director, Mary Parker, has been asked by the Governmental Finance Officers Association to moderate a panel at their next conference on micro software for pension and benefit administration. This is quite an honor for Mary as she has done a great deal of work in this area.

2. The City's comprehensive Annual Financial Report for the Fiscal Year

ending June 30, 1986, is complete and is available in the Public Information Office in City Hall. Copies have been provided to the Mayor and Council. Mr. Robinson stated that the report provided a clean audit and is being submitted to the Governmental Finance Officers Association for consideration of a certificate of conformance.

3. The schedule for the re-play on Cable Channel 23 of the February 7, 1987, Public Forum on Police Services has been set. The re-play schedule is as follows:

February 10, 1987	7:00 p.m. to 10:15 p.m.
February 12, 1987	10:00 a.m. to 1:15 p.m.
February 14, 1987	3:00 p.m. to 6:15 p.m.
February 16, 1987	10:00 a.m. to 1:15 p.m.
February 17, 1987	7:00 p.m. to 10:15 p.m.

Mr. Robinson reminded those present that there is a second forum scheduled for Wednesday, February 18, 1987, at 7:30 p.m. at the Rockville Senior Center.

Re: Mayor's Report

Mayor Van Grack reported the following:

1. Mayor Van Grack met recently with the Public Works crews that were responsible for the snow removal from the snow storms during the past month. He stated it was gratifying to see the support from citizens expressed through letters on efforts the City made in removing the snow. In addition, he stated that he was very pleased to see that the crews had a great deal of pride in the job that they had done.

2. The terms of five members on the Public Education Advisory Commission will expire shortly. However, because of the issues that are before the Board of Education presently, he has asked each of the members to remain for the next 6 months while the decision making process is completed. Mayor Van Grack is pleased to report that all five members agreed to extend their terms.

3. The Chamber of Commerce is sponsoring its annual State of the City Message at its next luncheon on February 15th at 11:30 a.m. at Lakewood Country Club. Mayor Van Grack encouraged those who were interested in attending to contact the Chamber.

4. Mary Lynn Scott was recognized for her re-appointment to the Traffic and Transportation Commission. Ms. Scott, who was present, said she is honored to be re-appointed and looks forward to her next term with the Commission.

5. Mayor Van Grack suggested a committee to work on senior housing needs be formed. He asked that this item be discussed under the new business portion of the evening's meeting.

Re: Presentations

1. Carlos Caban - The Mayor and Council honored Mr. Caban for the two terms he served on the City's Planning Commission. Mayor Van Grack expressed his appreciation for the work that Mr. Caban achieved for the City through the Planning Commission and presented him with a certificate of appreciation from the City. Mr. Caban thanked the Mayor and Council stating that it was an honor to serve on the Planning Commission. In addition, he stated that he hoped that he had contributed to the City.

2. Montgomery College Football Team - Mr. Phil Martin, Coach of the Montgomery College Football Team, was present to receive the thanks of the Mayor and Council. Mayor Van Grack relayed the achievements of the team citing that none of the players on the Montgomery College Football Team are scholarship recipients; instead they play simply for the enjoyment of the game. He further stated that it is nice to recognize the team due to the fact that each of them is a true scholar to continue their studies in school and achieve what they have on the playing field. Coach Martin thanked the Mayor and Council for honoring

the team and the school. He stated his great appreciation in the community's backing of the team. Mayor Van Grack introduced each player and provided them with a certificate of appreciation for their accomplishments.

3. Montgomery College Soccer Team - The Montgomery College Soccer Team was honored for their achievement as the 1986 Maryland State Junior College Champions in Division I. Coach Tom Bichy was present to receive certificates from the City. Coach Bichy stated that Rockville is a great community, and he is very pleased to be a part of it. Mayor Van Grack presented the Coach with certificates of appreciation for each member of the team.

4. Merit Scholars Woodward High School - The 1987 National Merit Scholars Semi-Finalists and commended scholars from Woodward High School were present to receive certificates of appreciation from the Mayor and Council.

Re: Citizens' Forum

1. Jeryl Gegan, Chairman Rockville Board of Appeals, presented the Board of Appeals Annual Report, Part II. He began by expressing the board's concern for the environmental controls in the Mayor and Council Chambers stating that at their last meeting on Saturday it was very cold in the room and difficult to determine how to provide heat so that those present could stay warm. In response to a question from Councilman Coyle, City Manager Robinson stated that a report would be provided to members of the Mayor and Council on the status of the HVA system in the Council Chambers.

The second item which Mr. Gegan addressed was recording equipment used by the Board of Appeals in providing transcriptions of their meetings. He stated that the equipment failed seven times during the course of their meeting that day and asked that the Planning Department staff be permitted to include new

recording equipment in the budget for Fiscal Year 1988. In addition, he asked that some equipment be provided on an emergency basis. City Manager Robinson stated that staff would provide the needed equipment.

2. Michael Gewirtz, 1520 Columbia Avenue, addressed the Mayor and Council regarding the Metro Stop at Town Center. He stated that the area gets quite dirty and suggested that the City serve as a catalyst to try to work with the property owners around the stop to keep the area around the stop clean. He provided photos that showed that it is not the Metro Station itself where the litter accumulates but rather the area around the station. Mr. Robinson stated that last year the City had sent a letter to the property owners including the Washington Metropolitan Area Transit Authority asking them to intensify their efforts to keep the area clean. He stated that we would do so again and follow up with more inspections.

3. Charlotte Joseph, President of Montrose Civic Association, presented written testimony to the Mayor and Council regarding the Montgomery County Board of Education budget, specifically addressing a proposed addition to the Luxmanor Elementary School and a proposal to make Tilden an Elementary School. She stated her belief that approval of either of these two proposals would have a negative affect on the Montrose neighborhood and asked the Mayor and Council to assist in eliminating any boundary changes that may occur due to these two proposals. Councilman Hartogensis asked about testimony against the changes because it implied that a particular group of children are problem children. In response, Ms. Joseph explained that the decision was made about children who do not speak English. She stated that the situation for the elementary school students was a good one now and the community did not wish for there to be further changes in school boundaries.

Councilman Abrams stated that the Council would review the County's capital improvement program comments later and that the City has consistently made comments to the School Board regarding boundary changes. He stated he believed the basis for our comments should be that if the students go to Luxmanor we will have to add another school to where we provide our recreation programs. In response to a question from Councilman Duncan, Ms. Joseph stated that if the County Council denied the proposals the School Board would have to reverse its decision and further that the Farmland PTA has testified against the proposals.

Re: Public Hearing - Annexation Petition, X-100-86, Maung Tin Hlaing & Mya New Hlaing, Application, for the property located at the intersection of North Glen Road and Veirs Drive.

The Mayor and Council conducted a public hearing on Annexation Petition, X-100-86, and heard those persons as will be found in the official stenographic transcript of the hearing. There being no other person wishing to be heard, the Mayor declared the hearing closed with the record to be held open until 5:00 p.m., Friday, February 20, 1987.

Re: Consent Agenda

At the request of Councilman Abrams, Item D, Endorsement of Proposed Comments from the Mayor and Council to the Montgomery County Council regarding the Proposed FY 1988 CIP, was removed from the consent agenda.

On a motion from Councilman Duncan, duly seconded, and unanimously passed, the remaining consent agenda items were approved.

Re: Award of Bid No. 49-87:
Tree Care Service

The above-referenced Invitation for Bid was issued for the purchase of Tree Care Services In Parklands and in Public Rights-of-Way.

Service is for a Base Year (12) months with Options for two additional one-year periods. Inasmuch as the contract will cross fiscal years, continuation will be subject to appropriation of funds.

The City reserved the right to award either to the responsible Bidder submitting the lowest aggregate bid for one (1) year period of coverage or for a one (1) year period combined with either one or two option years as chosen to be in the best interests of the City.

Bid Evaluation

The Invitation for bid was mailed to ten companies and was advertised in four bid publication services. Two bids were received.

Bids were requested on a price per hour basis for weekday service during normal working hours and for emergency service on nights, weekends and holidays.

The hourly rates have been multiplied by the City's usage during the last twelve months for purposes of evaluation.

COMPANY	YEAR I	OPTION YEAR II	OPTION YEAR III
Cole Landscape and Tree Service	$46,800.00	$50,544.00	$54,288.00
Davey Tree Company	$72,870.84	$76,516.71	$80,340.69

The budget estimate was $53,237.00 for twelve months.

Responsibility

Cole Landscape and Tree Service has been providing satisfactory service on this contract for the past five years.

Recommendation

It is recommended that award be made to Cole Landscape and Tree Service for Year I in the amount of $46,800.00 and the Options, Years II and III in the amount of $50,544.00 and $54,288.00 respectively, subject to the review of the Director of Recreation and Parks sixty (60) days prior to the end of the preceding contract year. Total award is $151,632.00, subject to appropriation of funds. The contract shall be a Requirements Contract. Funds will be obligated only per order placed for service.

Re: Award of Bid No. 10-83:
Extension of Contract for
Uniform Rental

The current 4-year uniform rental contract expired on December 14, 1986; however, Mayor and Council approved an extension until February 20, 1987, or until installation under the new contract whichever is earlier.

At the December 8, 1986, meeting the Mayor and Council awarded the new contract to Crestwear Uniform Rental Services. This company has been diligent in completing the necessary documentation, and have determined that, because of the time necessary to obtain satisfactory bonding, they will be unable to meet the February 20, 1987, installation date and have requested an extension to April 1, 1987.

The company currently supplying the uniforms extends the same price, terms and conditions for up to one year after the December 14, 1986, expiration date.

Approval is requested to extend the current uniform contract with Coyne Textile Services through April 3, 1987, the 3rd being a Friday and a reasonable changeover day. The cost for this time (February 20 through April 3) is approximately $4,000.

Re: On-Site Storm Water for Office Building at 1901 Research Boulevard, U-359-86, WR-4-87

This 5.5 acre site is located on Research Boulevard at the southeast quadrant of Gude Drive and is in the Watts Branch drainage shed. Development of this site will include an office building and parking lot.

On-site methods of SWM were considered. However, the geotechnical report indicates that the soils on this site are not suitable for infiltration. In addition, rock is present at depths which would interfere with the construction of other on-site methods. Therefore, a waiver was considered.

Runoff from this site is discharged from the on-site storm drain system into a tributary of Watts Branch. The stream channel is capable of handling the additional runoff and conveying it safely to a point where it can be controlled. The proposed Wootton Mill facility can provide storage for the additional runoff from this site.

I recommend that a waiver be granted and that a contribution of $103,800 (5.19 impervious acres at $20,000 per acre) be accepted for the City off-site SWM program.

Re: Endorsement of proposed comments from the Mayor and Council regarding the proposed FY 1988 CIP

Councilman Abrams asked that a statement be added reflecting the comments made by Charlotte Joseph during Citizens' Forum, specifically expressing opposition to the Luxmanor addition and the conversion of Tilden to an elementary school.

Councilman Duncan asked if more information on the Luxmanor addition was needed. Mayor Van Grack asked if there were any comments from the Advisory Commission on Public Education. It was the concensus of the Mayor and Council that they would like to receive comments from the Advisory Commission if time allowed.

Councilman Abrams pointed out that the "English As A Second Language" class concept is better served to students if they are consolidated in one location rather than dispersed between a number of schools for the reasons pointed out by Ms. Josephs.

The second item that Councilman Abrams wished to be added to the comments from the Mayor and Council was regarding a request for funding from the Police Boys and Girls Club to improve the facility at Lone Oak. He stated that County Council President, Rose Crenca, planned to visit the facility on Thursday afternoon and that the Mayor and Council have been asked to support the proposed improvements. He asked that a copy of the request be provided to the Mayor and Council for a determination. He also stated that we would like information from Planning Department staff on the problems of locating the auto training facility at Lone Oak due to the zoning in which that building exists.

Larry Owens, Acting Director of Planning, addressed the matter stating that if the auto training facility is to go in the Boys and Girls Club it would need to go through the special exception process. Councilman Abrams asked that a letter be sent to the Boys and Girls Club stating this.

With regard to the project on Metro Rail add-on facilities, Councilman Coyle asked for additional information including information about the traffic impact of adding the additional parking spaces. Mr. Owens stated that the City

Staff is working with the County, and in addition, City Traffic Engineer, Joe Cutro, has been reviewing the project.

Mayor Van Grack addressed the Rockville Police District Relocation project, stating the Planning Commission's support for the project with the proviso that "as a result of relocation, no adverse affect will arise influencing the safety of the immediate community, security of the Detention Center, and overall response to citizen calls". Councilman Duncan also stated his support for the relocation as long as there is a County Police function in District Station.

Mayor Van Grack commented on the project, Gude Drive - Route 355 Grade Separation. He noted the Planning Commission comments regarding the need for a feasibility study of a grade separation. Councilman Duncan stated his support for the comments and asked that they be included in the letter that the Mayor and Council submitted to County Council President Crenca regarding the Fiscal Year 1988 CIP.

On a motion from Councilman Hartogensis, duly seconded, and unanimously passed the Mayor and Council approved the letter to be sent to County Council President Crenca with the additional language regarding the Montgomery County/Rockville Police Headquarters, the Gude Drive - Route 355 Intersection, and the Tilden Woods/Luxmanor Elementary School Projects.

Re: Approval of Minutes

On a motion from Councilman Coyle, duly seconded, and unanimously passed, the minutes of Meeting No. 38-86, October 6, 1986, were approved as amended.

Re: FYI

The Mayor and Council noted the following item of information:

1. Letter from Robert McGarry, Director of the County Department of Transportation, regarding a parking lot near the Rockville Station.

Re: Correspondence

The Mayor and Council noted the following items of correspondence:

1. Letter from the Montgomery County Historical Society regarding snow removal at the Beall-Dawson House.

2. Letter from Barry F. Scher regarding the relocation of the Treatment Center to Shady Grove.

Councilman Abrams asked that a neighborhood participation process be developed regarding the use of the facility and that both Twinbrook and Fletcher Place be involved. Mayor Van Grack asked that a letter be sent to John Tyner, President of Twinbrook Civic Association, with copies to Mr. Scher, the Planning Commission, and someone at Fletcher Place asking for these parties to work together on the relocation. Councilman Hartogensis noted that during the report from the Board of Appeals, mention was made of a need for legislation regarding non-conforming uses. He suggested that perhaps now is the time to re-examine this issue and to limit the applicability of a special use permit to the original owner only. Assistant City Attorney, Frank Lacey, noted that there is a memo on this matter that is prepared for the Mayor and Council.

Re: New Business

1. In referring to an item included in the City Manager's Various Items memorandum of February 6, 1987, Mayor Van Grack noted the need to establish a senior housing needs assessment task force. Councilman Abrams agreed that it is a good concept and asked that the initial constitution of the task force include a neighborhood representative from for profit providers and a representative from a developer. City Manager Robinson noted that he sees the task force as advisory and suggested that perhaps a member of the Mayor and Council would like to serve on the task force. The Mayor and Council agreed

that a task force ought to be put together and asked the City Manager to move forward with its creation.

2. Councilman Duncan inquired as to whether it is possible for the owners of Seven Locks Plaza to withdraw without prejuidice their text amendment filed regarding the C-1 Zone. In response to the question, Assistant City Attorney, Frank Lacey, confirmed that it would be possible. Councilman Duncan further inquired as to whether it would be possible to provide the owners of Seven Locks Plaza with a time frame for considering an existing text amendment regarding the C-1 Zone. City Manager Robinson responded that the work will be done in September and that this time frame will be conveyed to the owners of Seven Locks Plaza.

3. In response to a question from Councilman Coyle regarding the Jerusalem/Mt. Pleasant Senior Housing Corporation, City Manager Robinson responded that no additional action is needed by the Mayor and Council. Having received approval for funding from the City, the Corporation can proceed with its feasibility study. Councilman Abrams noted that the Board of Directors of the churches had given the Corporation the authority to consider other sites.

Re: Adjournment

There being no further business to come before the Mayor and Council in general session, the meeting was adjourned at 9:35 p.m.

Re: Work Session

The work session convened at 9:47 p.m. in the City Manager's Conference Room to discuss the proposed rent stabilization program. The Mayor and Council agreed to establish a program that mirrors the County's. They considered, however, lowering the percentage that would be used to initiate mediation by the City regarding a rent increase. It was agreed that once a program is in place,

pamphlets and other material regarding the program will be available in places where rent subsidy is applied for. In addition, staff was asked to work with landlords on the program as part of the education effort by the City. With respect to rent subsidy, it was decided more information is needed on the current population and that the rent stabilization program will be used to gather data for one year before making a decision on rent subsidy. It was agreed to introduce the ordinance on February 23, 1987, with a Public Hearing to be held on March 9, 1987, and adoption on March 23, 1987.

There being no further business to come before the Council in work session, the meeting was adjourned at 10:15 p.m. On a motion from Councilman Duncan, duly seconded and unanimously passed, the Mayor and Council convened in Executive Session to discuss police services in the City. The Executive Session adjourned at 10:35 p.m. to convene again in general session on February 23, 1987, at 8:00 p.m. or at the call of the Mayor.