

APPROVED

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

Tuesday, January 25, 2005 Rockville, Md.

The County Council for Montgomery County, Maryland convened in the Council Hearing Room, Stella B. Werner Council Office Building, Rockville, Maryland, at 9:24 A.M. on Tuesday, January 25, 2005.

PRESENT

Councilmember Thomas Perez, President	Councilmember George Leventhal, Vice President
Councilmember Phil Andrews	Councilmember Michael Knapp
Councilmember Howard Denis	Councilmember Nancy Floreen
Councilmember Marilyn J. Praisner	Councilmember Steven A. Silverman
Councilmember Michael Subin	

The President in the Chair.

Dilwar Singh Dhatt, Washington Metropolitan Sikh Association, Gaithersburg, gave the invocation.

SUBJECT: Proclamation in Recognition of Steven Michael Selzer, Local Author, on Writing “By George”

The proclamation was presented by Councilmember Denis to Mr. Selzer.

SUBJECT: Proclamation Recognizing the Montgomery County Department of Recreation’s National Accreditation

The proclamation was presented by Councilmember Silverman to Mr. Bayor, Director, Department of Recreation.

SUBJECT: General Business

Reference: Agenda Item 2

Agenda change:

Noted an addendum to the agenda, adding a District Council session to introduce Zoning Text Amendment 05-02, Transit Oriented, Mixed Use Zone.

Approval of Minutes

Approved the minutes of November 23, December 7, 14, and 16, 2004.

Mr. Knapp made the motion. Mr. Subin was temporarily absent.

Receipt of Petitions

There were no petitions received in Legislative Information Services.

SUBJECT: Consent Calendar**Reference:** Agenda Items 3A-3F

Resolution 15-861, establishing a Task Force to Study Compensation of the County Executive, County Council, Sheriff, and State's Attorney;

Resolution 15-862, approving the publication of the 2004 Montgomery County Code;

Resolution 15-863, approving the categorical transfer of \$1,500,000 for the FY05 Operating Budget of the Montgomery County Public Schools within the Provision for Future Supported Projects;

Resolution 15-864, confirming the County Executive's appointments to the Advisory Committee on Consumer Affairs: Stephen Gurwitz, Eric I. Goldberg, Cathy A. Silverstein, and Anne Elward;

Resolution 15-865, confirming the County Executive's appointments to the Citizens Review Panel Advisory Group: Lisa Horowitz, Michelle Avery Weston, and Christine N. Whitaker;

Resolution 15-866, confirming the County Executive's appointments to the Citizens Review Panel for Children: Marie E. Marcellus, Diane Boyd Rauber, Heather Ringeisen Ray.

Ms. Praisner made the motion. Mr. Subin was temporarily absent.

SUBJECT: Office of Legislative Oversight (OLO) Report 2005-2: Review of Rental License and Common Ownership Communities (COC) Registration Fees**Reference:** Agenda Item 4

Released the report.

Ms. Praisner suggested Department of Housing and Community Affairs (DHCA) staff be prepared for the Planning, Housing, and Economic Development (PHED)

Committee meeting to comment on how to track code enforcement cases associated with rental properties, COCs, or individual neighborhoods.

Mr. Silverman requested that during the budget process, DHCA staff be prepared to comment on options that may be available to increase code enforcement activities using one-time funding opportunities.

Ms. Floreen suggested that the Committee review the basic bookkeeping policies related to specific funds.

SUBJECT: **Countywide Bikeways Functional Master Plan**

Reference: Agenda Item 6

The Council reviewed the PHED Committee's recommendations on the Countywide Bikeways Functional Master Plan.

Requested Department of Public Works and Transportation staff to provide the cost estimates for differentiating the vehicular lane from a bike path on "sign shared roadways".

Agreed that a provision not be added to the Master Plan to convert the former Glen Echo trolley right-of-way to a shared use path between Glen Echo Park and the Capital Crescent Trail through Brookmont and to revisit the issue in the future.

Mr. Denis made the motion. Mr. Knapp was temporarily absent.

Defeated Mr. Leventhal's motion to include language in the Master Plan stating that input be solicited from the community and that a study be conducted of a more efficient connection in the vicinity of the Glen Echo trolley right-of-way because concerns have been raised about the effectiveness of a connection between MacArthur Boulevard and the Capital Crescent Trail.

YEAS: Praisner, Leventhal, Perez

NAYS: Denis, Floreen, Subin, Silverman, Andrews.

ABSENT: Knapp (temporarily).

Ms. Praisner requested the County Executive to respond to the letter from Ms. Bennett, a resident on Briggs Chaney Road, regarding her comments about safety improvements that could be made along the road and her recommendation that a grass strip be planted between the edge of the vehicular lanes and the bikeway.

Agreed that the segment of Westlake Drive west of Montgomery Mall between Westlake Terrace and Democracy Boulevard be planned as a dual bikeway with bike lanes and a shared use path; and that the plan specify that the land for widening for the bike lanes (10') be taken from the west side.

Ms. Praisner, in referring to the charts on pages 51 and 52 of the Master Plan and the shared use path and bike lanes on New Hampshire Avenue from MD198 to Ednor Road, and the shared use path from Ednor Road to MD198, requested staff to provide information on what future road improvements are anticipated. Referring to the bike lanes and signed shared roadway on Old Columbia Pike, she requested information on whether the language under “Discussion” reflects that some of the connections may be contingent upon grade-separated interchanges; and information on whether the bike lane referred to on Old Columbia Pike has ever been designated as a bike lane. She requested that some of the references to Randolph Road should be replaced with East Randolph Road.

SUBJECT: Shady Grove Sector Plan

Reference: Agenda Item 5

The Council was briefed on the Shady Grove Sector Plan.

Mr. Perez requested staff to determine where the commuters who park in the Shady Grove Metro Station parking lot reside.

Mr. Andrews requested information on the reason that the County services park is not subject to the staging process; and how the increased traffic in the Shady Grove area affected the Park and Planning staff’s strategy regarding the amount of development that is anticipated.

Ms. Praisner requested information on the staging process, what tools other jurisdictions use, and how current conditions can be improved; information comparing the “walkability” area of the Shady Grove Metro Station with other metro areas; information on the status of the Adequate Public Facilities process in the Cities of Rockville and Gaithersburg, including what commitments will be made by the Cities not to annex properties; and information on what impact the increased dwelling units will have on the public school system.

SUBJECT: ZTA 05-02, Transit Oriented, Mixed Use Zone

Reference: Agenda Item 7

Introduced ZTA 05-02.

Resolution 15-867, was adopted scheduling a public hearing at 7:30 P.M. on March 1, 2005 on the subject text amendment.

Mr. Silverman requested the Planning Board and Council staff to provide information on what options are available for adding traffic mitigation as a specific requirement and condition of optional method of development under the zone; and how to achieve a 50% dwelling unit rate for workforce and affordable housing units.

The meeting adjourned at 12:45 P.M.

This is an accurate account of the meeting:

Elda M. Dodson, CMC
Acting Clerk of the Council