



Gaithersburg

A CHARACTER COUNTS!

CITY OF GAITHERSBURG

MINUTES OF A REGULAR CITY COUNCIL MEETING

CITY HALL COUNCIL CHAMBERS

MONDAY, NOVEMBER 19, 2012

A meeting of the Mayor and City Council was called to order at 7:30 p.m., Mayor Katz presiding. Council Members present: Ashman, Drzyzgula, Marraffa, Sesma and Spiegel. Staff present: Acting City Manager Tomasello, Planning and Code Administration Director Schlichting, Capital Projects/Facilities Director Mullarkey, Public Works Operations Superintendent Scafide Parks, Recreation and Culture Director Potter, Economic Development Director Lonergan, Lead Long Ranger Planner Robinson, Housing and Community Development Director Kauffmann, Senior Recreation Program Supervisor Winans, 2012 Third Quarter Employee Award Recipients, City Attorney Board, and Municipal Clerk Stokes. Planning Commission present for staff guidance agenda: Bauer, Hopkins, Kaufman, Lanier and Winborne.

I. **PLEDGE OF ALLEGIANCE**

The Pledge was led by Andrea (3rd grade) and Andriana (1st grade), Arcola Elementary School.

II. **INVOCATION**

In lieu of an invocation, Mayor Katz called for a moment of silence.

III. **APPROVAL OF MINUTES**

Motion was made by Council Member Ashman, seconded by, Council Member Marraffa, that the minutes of the Mayor and Council regular meeting held September 4, 2012, be approved.

Vote: 4-0-1 (Abstained: Sesma)

Motion was made by Council Member Spiegel, seconded by, Council Member Marraffa, that the minutes of the Mayor and Council work session held October 15, 2012, be approved.

Vote: 4-0-1 (Abstained: Sesma)

IV. **CONSENT ITEMS**

A. **Resolution of the Mayor and City Council Authorizing the City Manager to Enter into a Contract to Provide Snow Removal Services for the City of Gaithersburg**

This resolution authorized the City Manager to enter into a contract for snow removal with C&C Custom Lawncare, Inc., P.O. Box 510, Mount Airy, Maryland 21771, in an amount not to exceed Ninety Thousand Dollars (\$90,000); said funds to be expended from the Operating Budget.

XII. STAFF GUIDANCE

The City's Planning Commission joined the Mayor and City Council at the dais to receive the following presentations.

A. Presentation from the Metropolitan Washington Council of Governments (MWCOC) on Regional Activity Centers

Planner Robinson introduced MWCOC Paul DesJardin, Director of Community Planning & Services and briefed the Mayor and City Council and Planning Commission on the proposed Regional Activity Centers (RAC), a tool of the Region Forward Initiative. MWCOC has revised its criteria for designating Activity Centers and updated its Activity Centers map. While the centers will take different forms and serve different roles depending on their context and assets, all the centers together will play a central role in achieving *Region Forward's* numerous prosperity, sustainability, accessibility, and livability goals.

Mr. DesJardin reviewed the concept map of the Activity Centers; places that will have regional or metropolitan significance in 2040. Each center will have its own unique strengths and opportunities. The Region Forward Coalition will work with local governments to identify the region's strengths and opportunities. From that, the Coalition will develop tools and strategies to use these assets to help achieve the Region Forward Vision. Mr. DesJardin noted that the centers will be updated annually to reflect changes in local planning. He stated that 136 centers were identified and spoke on the distribution in various areas, focusing on policy and priority areas in local government and looking at a more pedestrian connected location with transit. MWCOC worked with City staff to identify four centers (Metropolitan Grove, Gaithersburg Central/Downtown, Kentlands and Crown Farm/Life Sciences Center) in Gaithersburg which meets all the core and additional attributes. In conclusion, he reviewed the schedule stating that the COG Board will approve the Activity Centers in January 2013.

Concerns were expressed with the name activity center which might be confusing with the City's Activity Center at Bohrer Park and the City's interest in making it clear that centers under and partially under Gaithersburg's jurisdiction were identified as such, having planning authority. Interest was expressed in having the City's centers included in the assessment of the strengths and opportunities, possibly partnering with MWCOC. It was noted that while it is a planning document, it also is a marketing and promotional document for future investments and the City's existing centers should be reflected. Mr. DesJardin spoke on other areas with existing activity centers. Responded to a question in regards to obtaining grants and smart growth criteria of agencies such as EPA, HUD, he stated that it would compliment criteria. City staff and representatives of MWCOC were commended on their efforts and work.

B. Staff Presentation on the Proposed Planning Designations in Accordance with Plan Maryland and the Sustainable Growth & Agricultural Preservation Act

Planner Robinson presented the draft PlanMaryland and Sustainable Growth & Agricultural Preservation Act area designations. PlanMaryland is a state-wide plan that will promote sustainable land use. The purpose of the Sustainable Growth & Agricultural Preservation Act is to limit the disproportionate impact of large subdivisions on septic systems on farm and forest land, streams, rivers and Chesapeake and Coastal Bays. Both State initiatives use designations, planning areas and tiers respectively, to identify those areas that express specific characteristics and thus may be used to achieve the Goals and Objectives of the State initiatives.

The PlanMaryland establishes five Planning Area-Place categories that local governments can use to pursue objectives for growth, revitalization, land preservation and resource conservation, and maintaining public services and quality of life. Three of the following apply to the City of Gaithersburg: targeted growth and revitalization areas, established community areas in priority funding areas, and future growth areas.

Four tiers of land use categories are created to identify where major and minor residential subdivisions may be located in a jurisdiction and what type of sewerage system will serve them. Resources will be allocated once designations have been selected. Administration adoption of the Tiers is due by December 31, 2012.

Staff provided fact sheets and sought guidance from the Mayor and City Council and Planning Commission on the City's proposed designations. Following support of the designations, staff will complete the formal application process for submission to the State for approval.

Updates were questioned and staff responded that the law for the septic bill will require administrative action and then the environmental element will be incorporated in the future Master Plan update. Staff is seeking to incorporate state designations and set up reviews every six years.

For future use, it was suggested to designate areas on the map with something other than color; possibly the use of stripes or other shapes. In addition, staff was directed to provide a quick summary of the types of incentives involved in the PlanMaryland program and state laws for those who are in compliance. It was suggested to provide a description of funding opportunities. Staff had recommended following the rules of PlanMaryland and dedicate the City's resources in a priority funding area. It was further suggested to clarify and develop a document for the public that incorporates the activity centers and how they compliment PlanMaryland concept and the land use of the City's current Master Plan. Again, staff was commended for compiling and presenting the above information for the City of Gaithersburg.

Motion was made by Commissioner Kaufman, seconded by, Commissioner Lanier, that the Planning Commission endorse the PlanMaryland and the Sustainable Growth & Agricultural Preservation Act Designations as proposed by City staff.

Vote: 5-0

Motion was made by Council Member Sesma, seconded by, Council Member Spiegel, that the City Council endorse the PlanMaryland and the Sustainable Growth & Agricultural Preservation Act Designations as proposed by City staff.

Vote: 5-0

XIII. FROM THE CITY ATTORNEY AND OTHER STAFF

Parks, Recreation and Culture Director Potter referred to a memorandum dated November 15, 2012, in regards to the skate park fees. The Skate Park provides a safe environment for local skaters to enjoy the sport in a designated, controlled environment. Unfortunately, attendance has dropped significantly and steadily. Recently, staff surveyed 11 regional skate parks to find the majority of which have no admission fees. In addition, the City offers two free skate spots which directly and negatively impacted attendance, decreasing it by nearly 4,000 since 2009.

In preparation of the 2013 season, staff proposed to eliminate membership and admission fees. In the FY13 Adopted Fee Schedule, daily admission is \$3 for residents/\$5 for non residents; annual membership is \$35 for residents/\$50 for non residents. The end result will be increased attendance and regained exposure for Park programs. In addition, staff projected that revenue will be gained with more clinics, increased registration and lessons. Modifying the Skate Park's admission policy is necessary to remain competitive with neighboring municipalities and privately owned skate facilities. The Fee Schedule includes a disclaimer that the City reserves the right to review and recommend fee adjustments as predicated by economic conditions, maintaining the authority to add new charges where appropriate. Staff sought approval of the proposed modification for future Skate Park operation. At the end of FY14, the Skate Park operation will be re-evaluated and staff will make recommendations at that time. Staff was directed to provide information on the users, residents or non-residents. The Mayor and City Council supported the recommendation to amend the Fee Schedule.

Motion was made by Council Member Ashman, seconded by, Council Member Sesma, directing staff to amend the fee schedule as recommended.

Vote: 5-0

XIV. ADJOURNMENT

There being no further business to come before this session of the City Council, the meeting was duly adjourned at approximately 9 p.m.

Respectfully submitted,

Doris R. Stokes

Doris R. Stokes
Municipal Clerk



Gaithersburg
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December 18, 2012

Mr. Jason Dubow, Director,
Environmental Planning
Maryland Department of Planning
301 W. Preston St
Baltimore, MD 21201-2365

Dear Mr. Dubow

The City of Gaithersburg hereby submits its approved Growth Tiers in accordance with the Sustainable Growth & Agricultural Preservation Act of 2012. All land within the City of Gaithersburg's incorporated limits has been designated as a Priority Funding Area by the State of Maryland. Further, the Washington Suburban Sanitary Commission's (WSSC) adopted 2003-2012 Comprehensive Water Supply and Sewerage Systems Plan has delineated all land within the City of Gaithersburg as Category S1, with the exception of the Crown property which is delineated as S3. It is to be noted that this category for Crown will be changed to S1 as it is currently under construction for an approved redevelopment project.

The City of Gaithersburg has approved a Tier 1 designation for all lands within the incorporated limits. Staff presented these designations to the Mayor & City Council and Planning Commission on Monday November 19, 2012, where both bodies approved, by motion, the designations. Included with the City's Growth Tiers are those Montgomery County lands included in the City's Maximum Expansion Limits (MEL). The tiering shown for MEL parcels reflects the designations adopted by the Montgomery County Department of Environmental Protection.

Should you have any questions, please feel free to contact me at 301-258-6330 or jschlichting@gaitthersburgmd.gov or Rob Robinson at rrobinson@gaitthersburgmd.gov.

Sincerely,

John Schlichting, Director
Planning & Code Administration
City of Gaithersburg

Attachments:

Approved Growth Tiers
Minutes of November 19, 2012 Council Meeting

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DEC 27 2012

MAYOR
Sidney A. Katz

COUNCIL MEMBERS
Jud Ashman
Cathy C. Drzyzgula
Henry F. Marraffa, Jr.
Michael A. Sesma
Ryan Spiegel

CITY MANAGER
Tony Tomasello

PLANNING SERVICES