



Minutes of the Town Council
December 12, 2022

Approved: January 9, 2022

The regular meeting of the Town Council was held remotely via ZOOM Video Conferencing. The meeting was recorded.

Mayor Compton called the meeting of the Town Council to order at 7:35 p.m. In attendance were Councilors David Cosson, Christine Dibble, Eva Patrone, Barbara Raimondo, and Gray Yachup. Also in attendance was Treasurer Jean Moyer, Rob Gilmore and approximately seventeen other residents.

Approval of Agenda: Barbara Raimondo moved to approve the agenda. Christine Dibble seconded the motion.

Action: Voted 5-0, approved.

Appointment of a Town Councilor to Serve Until the Annual Town Election on May 13, 2023: The Mayor noted that with the resignation of Darrell Anderson from the Council at the December Town Council meeting, the Town Council has the option to appoint a replacement to serve until the Town election in May. Barbara Raimondo motioned to appoint former Town Councilor Rob Gilmore to the position effective upon vote of the Council. Eva Patrone seconded the motion. Rob's qualifications were briefly discussed, and Rob made a statement in which he noted his willingness to serve as HPC liaison, and indicated he was not planning to seek election in May as Councilor.

Action: Voted 5-0, approved.

Appointment of Mayor Pro Tempore: Mayor Compton suggested that Councilor Barbara Raimondo be named Mayor Pro Tempore. Rob Gilmore moved and Christine Dibble seconded appointment of Barbara as Mayor Pro Tempore.

Action: Voted 6-0, approved.

Public Appearances: Planning Commission Chair Peter Nagrod presented the Gateway Committee's plan to make the entries to Oak Street and Center Street from Washington Grove Lane more attractive and safer. Three bollards and new identity fencing is planned for Oak Street, and five bollards will be placed at Center. There was a discussion about the following:

- Placement of the bollards
- Safety concerns
 - Possible use of these former entrances by the Fire Department. The Town has been told that they would never use the areas for ingress or egress. Dave Cosson wants that opinion in writing from the Fire Department.
 - Use of breakaway bollards.

The Mayor and Town Council expressed support for the plans.

Treasurer's Report: Christine Dibble moved and Gray Yachup seconded acceptance of the November 14, 2022, Treasurer's report. Treasurer Jean Moyer provided explanation of revenue received and reviewed several the status of several budget categories.

Action: Voted 6-0, report accepted.

Mayor's Report:

a) Mayor Compton offered ***Kudos***:

- To the actors, writers, stage personnel, prop persons and the host of other contributors to the Holiday Show 2023 – *Clueless in the Grove: A Musical and a Mystery*, with special recognition of Judy Mroczka and Marilynn Frey.
- To Woods Committee volunteers who generously gave their time and energy to the Fall Workday on November 12, 2022.

b) **Removal of Illegal Racial Restrictive Covenants from Property Deeds** – Status: Mayor Compton reported that Charlie Challstrom facilitated this action. The paperwork for five properties were submitted for processing to the Clerk of Court of Montgomery County the requested covenant modifications for five properties in Washington Grove were successfully filed in the Land Records. The Town's effort to obtain authority from the State of Maryland to unilaterally remove the illegal covenants from all deeds is being assisted by Delegate Kirill Reznik and Senator Nancy King. Currently only non-profit Homeowners Associations have been authorized to do so. The Montgomery County chapter of the Maryland Municipal league has also been approached to support this effort.

c) **Contact Landscaping and Maintenance Services** – Input Requested from Residents: No responses have been received from residents. An RFP will be done in January.

d) **"Guidelines for Performing Volunteer Work on Town Property"** – Article for the December Bulletin: The article that appeared in the Bulletin will be repeated periodically to remind residents of the need to communicate about any work they plan to do on Town property.

e) **Montgomery County Hazard Mitigation Plan** – Update: The Emergency Preparedness Committee has agreed to participate in the County's update of the Plan expected in 2023.

f) **Committee to Plan 2023 Activities to Mark the 150th Anniversary of Washington Grove** – Mayor Compton reported he has one volunteer so far. A Grove Alert may go out to ask for volunteers to plan activities to recognize this important milestone.

- g) **USPS Service to Washington Grove Residents** – Update: Mayor Compton reported there was nothing new on this subject. The next step will be contacting Ben Cardin, Chris Van Hollen, Jamie Raskin, and David Trone. He committed to writing the letters this week.

Administrative Matters:

- a. **Revision of the Holiday Leave Policy for Town Employees** – Finalize and Adopt: Christine Dibble reviewed the proposed increase in the number of paid holidays to 11 for town employees to bring them into parity with state and county employees. There was a discussion about the symbolism of Indigenous Peoples Day and Juneteenth, and about the idea of flex holidays. A consensus emerged that granting paid holidays for Juneteenth Independence Day, Indigenous Peoples Day and American Indian Heritage Day would demonstrate the Town values the importance of these symbolic days to those populations. After considering that the Hall is frequently a polling place and the flexible nature of town employee workday hours, Election Day was not supported as a paid holiday.

Councilor Dibble moved, and Rob Gilmore seconded, granting the following 12 days as paid fixed holidays:

- New Year’s Day (existing holiday)
- Memorial Day (existing holiday)
- Independence Day (existing holiday)
- Labor Day (existing holiday)
- Thanksgiving Day (existing holiday)
- Christmas Day (existing holiday)
- Martin Luther King Day (new holiday)
- Presidents’ Day (new holiday)
- Juneteenth Independence Day (new holiday)
- Columbus Day/Indigenous Peoples Day (new holiday)
- Veterans Day (new holiday)
- American Indian Heritage Day (day after Thanksgiving) (new holiday)

Action: Voted 6-0, approved. The number of paid holidays is increased from six days to 12 days.

- b. **Contract Landscaping and Maintenance Services:** Timeline for Evaluation of the Town’s Experience and issuing an RFP: Mayor Compton reviewed some items in the maintenance and landscaping RFP that should be clarified. Other additions and alterations will be needed. Any resident comments will be considered, and a draft of the 2023 RFP will be circulated in January. The new contract should start in April 2023 and go through June 2024. A multi-year option will be considered as well.

Problems requiring maintenance attention should be reported – for now - to the Mayor or the Town Clerk.

- c. **Correction to “Welcome to Washington Grove” Signs** – Replacement Sections Approved: Peter Nagrod reviewed the corrected design for the current inaccurate bottom line. The replacement panel and installation for the three signs has been approved.

Unfinished Business

RFP for a Comprehensive Stormwater Management Plan: The Town Council reviewed the near final RFP that seeks a consultant to study flooding and propose a flood and storm water management plan in the residential areas north of Grove Road and in the West Woods. Page numbers will be added, and the compass rose on the map corrected.

Action: Vote: 5-0, RFP approved for distribution.

Request From the Owners of 404 Fourth Avenue to Purchase Town Land: Mayor Compton identified the two properties in the purchase request and gave a brief history of the issues in question. The recently received recommendation from the Planning Commission was reviewed. The PC recommends the request to purchase two parcels of Town land be separately addressed, noting that Parcel 1 occupied by existing structures falls into the process specified in Article XVII, sale of Town land (resulting from the passage of Ordinance 2018-02), while the Parcel 2 should be considered in reference to the 1987 Policy for Sale of Surplus Parcels.

Susan Van Nostrand (property owner) stated that she had not had the opportunity to review the recommendation. There was discussion about the following:

- Previous Town Council approval of the sale of Acorn Lane property in 1988 to the then owner of 404 Fourth Avenue.
- The 1987 Policy for Sale of Town land vs. the Ordinance 2018-02 policy.
- Intentions of previous Town Council actions on the 1987 Policy.
- Removal of a tree by the property owner at their expense that a subsequent Town survey determined to be on Town land.
- Requirement the property owner provide a boundary survey for either purchase requests to proceed.
- Reasons why the sale of Town land stopped under the 1987 policy
- Need for a fair and equitable process

Actions:

The HPC has initiated their review of the historic aspects and preparation of documentation for sale of parcel 1. Mayor Compton and the Council felt it appropriate to defer consideration pending revised information from the Planning Commission. Separate

purchase requests with boundary survey should be submitted by the property owners. The subsequent Planning Commission recommendations to the Town Council should include detailed relevant background and perhaps a timeline for action on each purchase request.

New Business

Proposal From the Sustainability Committee That the Town Approve Purchase Municipal Electric Power from a Community Solar Energy Provided – Discussion.

Sustainability Committee Chair Bob Booher was asked to explain the proposal for Council action. The goal is to increase the percentage of clean sourced electricity used in town, and he explained two actions to accomplish this. Residents may use Consumer Choice or Community Solar to switch to renewable energy sources for their electricity. For the Town, the Committee suggests Community Solar be used as an electricity source for our facilities Pepco accounts (McCathran Hall, Maintenance Shop, Lake, Gazebo), He noted that our largest electricity expense, streetlights, must be excluded because they are not separately metered by Pepco.

Action: The Committee will provide a resolution to the Town Council in which they would authorize the mayor to engage in a Community Solar contract.

Other Regular Business

Town Council Reports:

- a. *Woods Committee (Cosson) – Tree City USA Application Being Filed:* The paper version of this application was returned to the Town. It will be re-filed electronically by December 31.
- b. *Planning Commission (Christine Dibble):* The Planning Commission discussed steps to ensure that all occupants of owner-occupied group housing are safe. They discussed egress issues with this type of housing.
- c. *Dog Park Committee (Dibble):* The Dog Spot locked gate was vandalized for the second time. Christine asked about the process for getting this fixed. John will ask Jim Quinn to repair the gate.
- d. *RASEC (Raimondo):* The Committee urged the Planning Commission to prioritize consideration of enabling Accessory Dwelling Units in Washington Grove.
- e. *RASEC (Raimondo):* Progress reported on development of an anti-racist Resolution and statement for consideration by the Town and Town Council.

Approval of Minutes: Gray Yachup, Eva Patrone seconded, approving the November 14, 2022, Minutes of the Town Council. Christine Dibble asked about any resolution concerning unleashed dogs in the woods. John wants to be sure he talks to the correct

person as he did not actually see the dogs. Patty Klein offered to send the video taken by the deer hunters.

Action: Vote 5-0, approved (Rob Gilmore abstained).

Adjournment: There being no further business, the meeting was adjourned at 10:35 p.m.

Kathryn L. Lehman
Town Clerk