



**MAYOR AND CITY COUNCIL
WORK SESSION AGENDA**

Monday, October 12, 2009

7:30 p.m.

City Hall Council Chambers

(Please turn off all cellular phones and pagers prior to the meeting. Hand held signs brought into the Council Chambers may not be displayed in a manner which disrupts the meeting, blocks the view of spectators or cameras and poses a safety concern [e.g., signs mounted on stakes]. Your cooperation is appreciated.)

- I. Call to Order**
- II. Executive Session Announcement/Motion**
- III. Topic(s)**
 - A. Crime/Surveillance Camera Update and Discussion**
- IV. Adjournment**

Call to Order

Executive Session

EXECUTIVE SESSION ANNOUNCEMENT

Notice to the general public is hereby given that the Mayor and City Council of Gaithersburg plan to conduct a closed Executive Session immediately following its scheduled work session on Monday, October 12, 2009 at City Hall. The meeting is proposed to be closed pursuant to the State Government Article of the Annotated Code of Maryland, Sections 10-508(a)(1)(i) to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction. The closed executive session will be conducted pursuant to a motion properly adopted during the session of the Mayor and City Council on Monday, October 12, 2009.

Work Session Topics

MEETING DATE:

October 12, 2009

CALL TO PODIUM:

John A. King, Chief of Police
Peter Cottrell, Director of IT

RESPONSIBLE STAFF:

Brian Helms
C. K. Bonvillain
Mary R. Whalen

AGENDA ITEM:

(please check one)

<input type="checkbox"/>	Presentation
<input type="checkbox"/>	Proclamation/Certificate
<input type="checkbox"/>	Appointment
<input type="checkbox"/>	Public Hearing
<input type="checkbox"/>	Historic District
<input type="checkbox"/>	Consent Item
<input type="checkbox"/>	Ordinance
<input type="checkbox"/>	Resolution
<input type="checkbox"/>	Policy Discussion
<input checked="" type="checkbox"/>	Work Session Discussion Item
<input type="checkbox"/>	Other:

PUBLIC HEARING HISTORY:

(Please complete this section if agenda item is a public hearing)

Introduced	
Advertised	
Hearing Date	
Record Held Open	
Policy Discussion	

TITLE:
Crime/Surveillance Camera Update and Discussion

SUPPORTING BACKGROUND:
<p>On September 26, 2008, a grant in the amount of \$117,000 was formally approved by the US Dept of Justice, COPS Office to fund surveillance cameras in order to address issues related to gang activity. The grant specifically was approved for the cameras to be used in the City's main historic and commercial area, an area comprising commercial and entertainment venues and a mall with an adjoining transit center.</p> <p>By utilizing surveillance cameras with behavior analytics, GPD units can be alerted to suspicious or criminal activity and quickly respond as situations develop without having to wait for a citizen call.</p> <p>At this time the project has been pushed back to FY'11. The grant runs through December 25, 2010.</p>

DESIRED OUTCOME:
Hear presentation on tactical (portable) crime cameras and provide staff guidance on the issue of strategic (fixed) surveillance cameras.

Surveillance Cameras



Mayor & City Council
Work Session
October 12, 2009

Tactical Surveillance Cameras and Strategic Surveillance Cameras

- Tactical Surveillance Cameras:
 - portable
 - short-term deployment
 - specific purpose
- Strategic Surveillance Cameras:
 - fixed location
 - long-term deployment
 - address multiple issues in a specific area

GPD Tactical Surveillance Camera



Not “covert,” but not designed to be immediately recognizable as a surveillance camera.

GPD Tactical Surveillance Camera



A high resolution wireless camera with low-light capability.

GPD Tactical Surveillance Camera

- The ability to zoom in on faces of potential suspects or read vehicle tags at a distance of 50 yards.
- The ability to aim the camera at different angles (pan-tilt-zoom).

GPD Tactical Surveillance Camera



- Camera video can be monitored on an office PC and potentially from an officer's in-car mobile data computer.

GPD Tactical Surveillance Camera

Benefits:

- Can be quickly deployed for a variety of community concerns.
- Cameras direct officers to the exact location of in-progress criminal activity.
- Cameras assist in managing large scale incidents and special events, e.g., concerts.

Funding for Additional Tactical Surveillance Cameras

- Information Technology FY10 CIP funding in the amount of \$40,000.
- Information Technology FY10 CIP funding in the amount of \$7,500 for graffiti cameras.

Legal Issues



- Video in a public place is permitted.
- All camera deployments are in a location where an officer would be legally permitted.

Lessons Learned



Two cameras placed at different angles may work better than utilizing one, e.g., the fairgrounds.

Lessons Learned

- Portable models are effective. They are quickly and easily re-located by the department.
- Technical barriers :
 - Battery power only lasts 40 hours.
 - Poles can be used to temporarily hard-wire the camera system, but this could severely limit where the unit can be placed.

Strategic (fixed) Surveillance Cameras



- Time consuming and costly installation.
- Hard-wired and permanent.
- A higher quality camera with better resolution and low-light capability.

Strategic Surveillance Cameras

- The capabilities to zoom into an area up to a distance of 300 yards.
- Camera video can be monitored from any computer on the City network or from an officer's in-car mobile data computer.
- Camera video can be recorded to a secure server for storage.

Funding for Strategic Surveillance Cameras

- Strategic police camera grant funding for GPD was formally approved by the U.S. Department of Justice, COPS Office on September 26, 2008.
- This Grant, in the amount of \$117,000, is available until December 25, 2010.

Funding for Strategic Surveillance Cameras

- The grant is for fixed surveillance cameras with behavior analytics.
- Behavior analytics can result in a timely alert for police units to respond as situations develop; no waiting for a citizen to report a crime.

Issues:



- Will the mere presence of the police cameras create a perception of crime which is greater than it is in reality?
- What is the return on investment? Do the benefits justify the cost?

Issues:



- Will we create an expectation that the cameras will be monitored?
- Will we displace crime rather than reduce or prevent it?
- Freedom of Information Act requests.

Issues:



- Privacy concerns:
 - Video (and possibly audio) recording in a public place.

Other Communities That Have Benefited From the Deployment of Crime Cameras

- Larger cities like Baltimore, Chicago, New York, Philadelphia and the District of Columbia have had success with the use of police cameras.
- Many cities have expanded their original camera systems after achieving successful results.

- An August 3, 2007 article in the technology section of CNN.com advises the following:

“In 2005, Baltimore police had 500 units utilized, reducing crime as much as 17% in neighborhoods where cameras were located.”

- Major Dave Engel of the Baltimore Police Department has stated, “feedback from the community has been fantastic, and in fact, most people want cameras in their neighborhoods.”
- In a 2007 ABC News/Washington Post poll, the majority of Americans said that they support the increased use of surveillance cameras in public places, by nearly a 3 to 1 margin.



- Lancaster, Pennsylvania, population of 54,000 utilizes a camera system that is monitored 18 to 24 hours per day.

- Last year, civilian personnel in Lancaster monitored cameras, making notification for police service 492 times and providing video to the police department for investigations 305 times.

Results:

- 82 arrests and 86 citations.
- Police also arrested the suspect involved in a murder, where the suspect was captured on video.

Where would the City of Gaithersburg deploy cameras?

- Olde Towne
- Market Square
- Rio
- Schools
- Neighborhoods and/or business areas showing crime trends or patterns
- Traffic concerns involving repeat traffic violations

Where do we go from here?

- Purchase portable police cameras.
- Implement procedures for daily monitoring of cameras or reviewing of camera video.
- Training on camera use for employees.
- Press release for public awareness.
- Continued evaluation of the program.

Adjournment

From Staff

MEMORANDUM

TO: Mayor and City Council
Planning Commission

VIA: Lauren Pruss, Planning Director

CC: Angel L. Jones, City Manager
Greg Ossont, Director
Planning and Code Administration

FROM: Rob Robinson, Planner

DATE: October 7, 2009

RE: MP-2-09 and MP-3-09: The Process & Overview and Water Resources
Element amendments to the Master Plan

On October 7, 2009 staff released both the draft “Process & Overview” (MP-2-09) and “Water Resources Element” (MP-3-09) of the 2009 Master Plan update, for the sixty (60) day public advertisement and comment period as required by Article 66b of the Maryland Annotated Code. The draft elements have been posted on the City’s website and copies sent to State and local government agencies. Additionally, notification letters have been sent to various interested parties. The joint public hearings for these elements will be held Monday December 7, 2009.

Over the next sixty days, staff will be receiving and compiling all comments provided by agencies and the public. These comments will be placed into the public record for review during the joint hearings. Staff will be providing individual copies of the draft elements to the Mayor and Council and Planning Commission in November in preparation for the joint hearings in December. Should you have any questions, please contact me at rrobinson@gaitthersburgmd.gov or 301-258-6330.

MEMORANDUM TO: Mayor and City Council

VIA: Angel L. Jones, City Manager

FROM: Michele R. Potter, Director of Parks, Recreation and Culture

DATE: October 6, 2009

SUBJECT: 29th Annual Celebrate Gaithersburg Day Festival Date

Traditionally, Celebrate Gaithersburg Day has been held on the third Sunday of September. This year's 28th annual event was no exception. Consistency in setting dates for large, annual events is a valued tool in event planning as it serves to prevent conflicting or competing festivals within a region.

In December of 2008, staff was concerned that third Sunday of September 2009 would fall on Rosh Hashanah, a two-day religious holiday that begins at sunset on Friday and ends at sunset on Sunday. In researching the traditions of this holiday, staff learned that while Conservative and Orthodox Jews observe both days, the majority of people of the Jewish faith only observe the holiday on Saturday.

While a difficult decision, staff proceeded to implement Celebrate Gaithersburg Day 2009 on the third Sunday of September for the value of consistent date setting as stated above. Sincere apologies are extended to those who were offended by this decision.

Staff would like to be proactive for next year's festival and proceed to plan and implement Celebrate Gaithersburg Day on September 19, 2010, the third Sunday in September. In 2010, the Jewish holiday of Yom Kippur will be from sunset on Friday, September 17th through sunset Saturday, September 18th. This is a one-day holiday and should not create any concern for the selected date.

MEMORANDUM TO: Mayor and City Council
Planning Commission

VIA: Angel L. Jones, City Manager

FROM: Lauren Pruss, Planning Director

DATE: October 1, 2009

SUBJECT: Mansionization Update – T-385

On November 3, 2008, the Mayor and City Council adopted ordinance O-12-08 requiring applicants to file a site plan and receive Planning Commission approval for any addition that adds one or more stories or increases the total square footage of a structure by more than 50 percent. During policy discussion, the Planning Commission and Mayor and Council expressed concerns that the new process may be burdensome and onerous for our residents. As such, an update on the effect of the new regulations was requested within one year of ordinance adoption.

Since adoption of the ordinance, the City has processed six applications for additions to residential structures. Of these applications, two did not meet the minimum 50 percent threshold requiring site plan review, and two were exempted from site plan review because they were subject to approval of a Historic Area Work permit by the Historic District Commission.

The final two applications received required Planning Commission approval. One application was reviewed by the Planning Commission and received approval within 30 business days of application receipt. The second application was located in the Observatory Heights neighborhood. City policy has required applications for exterior work within this neighborhood to receive a courtesy review by the Historic Preservation Advisory Committee (HPAC) prior to review by the Planning Commission or issuance of a building permit. As such, this application received the customary review by the HPAC prior to approval by the Planning Commission, a process which took 38 business days. A chart providing details of these applications has been attached.

I hope this information is helpful. If you have any questions please contact me directly at 301-258-6330 or lpruss@gaitthersburgmd.gov

Distribution:
Greg Ossont
Planning Staff

Att.



Distributed to M&CC:10/12/09

CITY OF GAITHERSBURG
31 South Summit Avenue
Gaithersburg, Maryland 20877
Telephone: 301-258-6330

NOTICE OF JOINT PUBLIC HEARING

The City of Gaithersburg Mayor and Council and Planning Commission will conduct a public hearing at the time and place noted below.

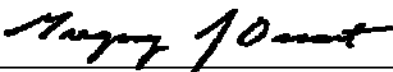
Meeting: **MAYOR AND CITY COUNCIL**
Application Type: **TEXT AMENDMENT**
File Number: **T-393**
Applicant: **GREG OSSONT FOR MAYOR & CITY COUNCIL**
Day/ Date/Time: **MONDAY, OCTOBER 19, 2009, AT 7:30 P.M.**
Place: **COUNCIL CHAMBERS, GAITHERSBURG CITY HALL
31 SOUTH SUMMIT AVENUE**

***** IMPORTANT *****

This is a proposal to amend Chapter 24 of the City Code (City Zoning Ordinance), Article VI, entitled, "Administration and Enforcement of Chapter," § 24-178, entitled, "Use and Occupancy Permits for new, altered, or nonconforming uses," to create new subsections §24-178(g) entitled "Temporary Uses;" §24-178(g)(1) through §24-178(g)(6) so as to allow temporary uses. . (A copy of the draft ordinance can be viewed at www.gaithersburgmd.gov/notices.) This is an opportunity to publicly participate, other than providing written testimony which must be submitted before the public hearing record closes. Contact the Planning and Code Administration City Planner (listed below) at (301) 258-6330 if you should have any questions and/or to learn more about this process and your ability to offer testimony and input.

View Mayor and City Council and Planning Commission meetings live on Gaithersburg Television, Comcast Channel 13 within the City limits, or via streaming video at www.gaithersburgmd.gov/tv. Meetings are rebroadcast for one week on television, and are archived within 24 hours for viewing at any time on the City's website.

CITY OF GAITHERSBURG



Greg Ossont, Director
Planning and Code Administration

NOTICES SENT THIS 29TH DAY OF SEPTEMBER, 2009, TO:

APPLICANT AND INTERESTED PARTIES

(A list of interested parties and agencies is available in the file in the Planning and Code Administration.)

MAYOR AND COUNCIL

PLANNING COMMISSION

CITY STAFF

Angel L. Jones, City Manager

Frederick J. Felton, Assistant City Manager

Tony Tomasello, Assistant City Manager

Lynn Board, City Attorney

Britta Monaco, Public Information Director

Doris Stokes, Administrative Assistant

Jeff Baldwin, City Web Administrator (via email)

For Release October 2, 2009

“Arsenic and Old Lace” Graces Arts Barn Stage

Gaithersburg, MD. The Arts Barn, the City of Gaithersburg’s premiere cultural arts facility, presents a Sandy Spring Theatre Group production of the perennial favorite, *Arsenic and Old Lace* by Joseph Kesselring, November 6 through 22, 2009. Performances will be held on Fridays and Saturdays at 8 p.m. and on Sundays at 2 p.m. Admission is \$15, \$13 for City of Gaithersburg residents.

In *Arsenic and Old Lace* we meet the charming, innocent and doting aunts of Mortimer Brewster – or are they so innocent? These two sweet spinsters populate their cellar with the remains of socially and religiously "acceptable" roomers. Mortimer tries to navigate his family’s eccentricities, which includes the antics of a brother who thinks he is Teddy Roosevelt, all the while trying to keep his fiancée none the wiser. Will Mortimer make it to his wedding day, or fall victim to the family insanity first?

The Arts Barn is located at 311 Kent Square Road, Gaithersburg. For more information and tickets call 301-258-6394 or visit online at www.gaithersburgmd.gov/artsbarn.

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Mayor
Sidney A. Katz

City Manager
Angel L. Jones

Council Members

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

For Release September 23, 2009

Gaithersburg Assistant City Manager Placed on Administrative Leave

Gaithersburg, MD. Assistant City Manager Fred Felton has been placed on administrative leave pending the internal investigation of an incident that resulted in an arrest warrant being issued on September 23, 2009. Felton has been charged with one count of reckless endangerment, one count of discharging a firearm in an urban area, and one count of discharging a firearm within Gaithersburg city limits.

“The conduct of City employees is an important matter,” said City Manager Angel Jones. “We treat all such incidents seriously, and in accordance with our Personnel Rules and Regulations will ensure that due process is given during the course of this investigation.”

Fred Felton has been a City of Gaithersburg employee for 20 years. He has held the position of Assistant City Manager since July 1, 1999.

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For Release September 23, 2009

CHARACTER COUNTS! Poster, Essay Contest Winners to be Honored at Annual Reception

Gaithersburg, MD. Gaithersburg celebrates thirteen years of involvement with the CHARACTER COUNTS! ethics program by encouraging local students to express their thoughts in words and pictures. In the past few weeks hundreds of students have been creating posters and essays around specific themes related to good character. In the coming weeks their work will be judged and awards will be presented for outstanding efforts. A reception celebrating winners, honorable mentions, adult heroes, families, principals and teachers will be held on Wednesday, October 21 from 6:30 to 8 p.m. at the Activity Center at Bohrer Park, 506 South Frederick Avenue in Gaithersburg. Reservations are requested by Wednesday, October 14. Please e-mail ssrinivasachar@gaithersburgmd.gov or call 301-258-6395 x3.

This year's poster contest, "*CHARACTER COUNTS! Where I Live – Making a House a Home*" was open to elementary and middle schools in the Gaithersburg area that have a CHARACTER COUNTS! program. This contest is sponsored by the City of Gaithersburg and the *Gazette* Newspapers. Cash prizes are awarded for the top winners.

Elementary and middle school students are participating in an essay contest entitled "*Adult Heroes in Our Community.*" Students write about someone who has had a positive, personal influence on their lives related to one or more of the Six Pillars of Character: Trustworthiness, respect, responsibility, fairness, caring, and citizenship. This contest is sponsored by the City of Gaithersburg and the Gaithersburg Rotary Club.

High School students are eligible to participate in the *Foundations for Life* essay contest, in which students select a meaningful quote, reflect on its meaning, and commit to life strategies incorporating the spirit of the quote. This contest, administered by the National CHARACTER COUNTS! organization, is sponsored locally by the City of Gaithersburg and the Montgomery Village Rotary Club. Cash prizes are awarded, with students required to give a percentage of their winnings to a charity of their choice.

On October 3, the posters from each school will be on display at the 9th Annual Montgomery County Housing Fair and Financial Fitness Day, also taking place at the Activity Center at Bohrer Park. Following the Housing Fair, the posters will be exhibited at Lakeforest Shopping Center from October 8 through 22, after which various City facilities will host the display until the end of the school year.

For more information on Gaithersburg's CHARACTER COUNTS! programs please contact the Community Services Division at 301-258-6395 or visit the City's website at www.gaithersburgmd.gov.

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For Release October 5, 2009

Absentee Ballots Now Available for Gaithersburg Election

Gaithersburg, MD. Absentee ballots are now available for the City of Gaithersburg elections, being held November 3, 2009. Up for election are the seat for Mayor and two seats on the Gaithersburg City Council. Sidney A. Katz and Richard Koch are running for Mayor. Henry F. Marraffa, Jr., Tom Rowse and Michael A. Sesma are running for City Council.

Registered voters within the City limits are entitled to cast an absentee ballot on Election Day without needing to give a reason. Chapter 6C of the Gaithersburg City Code permits “no excuse” absentee voting, allowing qualified voters to cast an absentee ballot without the requirement that the voter be away from the City on Election Day.

Applications for absentee ballots are now available at City Hall during normal business hours, 8 a.m. to 5 p.m. Monday through Friday. Voters may also request an absentee ballot by calling 301-258-6310 or may download one online at www.gaithersburgmd.gov/elections.

Completed applications can be mailed or dropped off at City Hall, 31 South Summit Avenue, Gaithersburg, Maryland 20877. The application must contain the qualified voter’s signature, printed name, current legal residential address within the City, any mailing address different from the residential address and, if applicable, the authorized agent.

After approval of the application, an absentee ballot will be mailed. Residents who are approved for an absentee ballot after October 28 must pick up their absentee ballot at City Hall during normal business hours. Absentee ballots may be returned to City Hall in person up to and including the time of closing of the polls on Election Day. All mailed absentee ballots must be received by November 3, 2009.

For more information please call the City Attorney’s Office at 301-258-6310.

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For Release September 23, 2009

Five Candidates Certified for City of Gaithersburg Election

Gaithersburg, MD. On September 21, 2009 the Board of Supervisors of Elections certified two candidates to run for Mayor and three candidates to run for two City Council seats in the City of Gaithersburg municipal election on November 3, 2009. The term of Mayor Sidney A. Katz and the terms of Council Members Henry F. Marraffa, Jr. and Michael A. Sesma expire this year.

The two candidates certified for the mayoral election are Sidney A. Katz and Richard Koch. The three candidates certified for the City Council election are Henry F. Marraffa, Jr., Thomas S. Rowse, and Michael A. Sesma.

City residents who are registered to vote in Montgomery County are automatically registered to vote in the City election. To confirm registration, contact the Montgomery County Board of Elections at 240-777-VOTE. The last day to register to vote is Monday, October 5, 2009.

Gaithersburg permits “no excuse” absentee voting, which means voters are not required to give a reason for requesting an absentee ballot. Applications for absentee ballots may be picked up in person at City Hall during normal business hours (8 a.m. to 5 p.m. Monday through Friday), requested via telephone at 301-258-6310 or downloaded from the internet at www.gaithersburgmd.gov beginning October 2, 2009. Absentee ballots will be mailed after approval of the application. Residents who are approved for an absentee ballot after October 31 must pick up their absentee ballot at City Hall during normal business hours. Completed absentee ballots can be mailed or dropped off at City Hall, 31 South Summit Avenue, Gaithersburg, Maryland 20877 but must be received by 8 p.m. on November 3, 2009.

Residents will receive a City of Gaithersburg Voter’s Guide in mid-October. It will contain election information and statements from the candidates. Candidate statements will also be aired on Gaithersburg TV, Comcast Channel 13 in the City limits, and will be available for viewing online at www.gaithersburgmd.gov in mid-October. A sample ballot will be mailed to all registered voters in the City in late October.

For complete election information please contact Lauren Klingler in the office of the City Attorney at 301-258-6310 or visit the City’s website at www.gaithersburgmd.gov/elections.

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For Release September 24, 2009

Arts Barn Invitational Gallery Presents the Photography of Ron Komara

Gaithersburg, MD. “Art of the Arc”, a photography exhibit by Ron Komara, will be on display at the Arts Barn Invitational Gallery October 1 through November 1, 2009.

Ron Komara has been studying and experimenting with photography for over 50 years, starting with photography courses at the University of Pittsburgh and the Pittsburgh Art Institute. His work at the time focused on landscapes of the Alleghenies and Laurel Mountains. Upon moving to the Washington, DC area in 1983 he studied photography at Montgomery College, establishing a company called “Studio to Go.” He can set up a complete studio with backdrops and strobes in less than 30 minutes.

After photographing the usual landscapes, portraits and weddings, Komara started experimenting with an arc welder. Having worked for Bethlehem Steel in Johnstown, PA he has an understanding of metallurgy at the molecular level and was always curious as to what the arc actually looked like. Using a 220 AMP AC Miller Thunderbolt welder and a variety of 1/8 and 5/16 inch welding rods, Komara welds at a temperature of 5,600 degrees Fahrenheit. The color temperature of light emitted is approximately 5,500 degrees Kelvin (daylight). There are many other metallurgical processes going on that make each photograph as unique as snow flakes. The explosive images when the arc is first struck will be the essence of his book, “Art of the Arc,” also the title for his Arts Barn Invitational Gallery exhibit. He would like to share with the viewers a philosophy he shares with another photographer, Mary Van Cline, who said “...I use photographs in my work for their power to evoke memories for the timeless quality they can convey.”

Please note that all images are copyrighted by the artist. The Arts Barn is located at 311 Kent Square Road in Gaithersburg. Viewing hours are Wednesday through Friday from 10 a.m. to 5 p.m. and Saturday and Sunday from 10 a.m. to 2 p.m. For more information please contact Gallery Director Natalya Parris at 301-258-6350 or 301-258-6394 or visit the City’s website at www.gaithersburgmd.gov/artsbarn

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For Release October 2, 2009

Gaithersburg Celebrates Halloween with Family Fun Night at City Hall Concert Pavilion

Gaithersburg, MD. Ghouls and goblins of all ages will enjoy an evening of Halloween family fun as the City of Gaithersburg hosts a celebration at the City Hall Concert Pavilion and grounds from 6:30 to 8 p.m. on Saturday, October 31, 2009. The Concert Pavilion is located in front of City Hall, 31 South Summit Avenue in Olde Towne, Gaithersburg.

Enjoy live entertainment on the Concert Pavilion stage, games and prizes, and free monster juice and glow sticks. For a nominal fee of \$1 per craft, kids can participate in fun and creative Halloween projects, and yummy kettle corn will also be sold. A portion of the kettle corn sales will be donated to Autism Speaks.

For more information call the City of Gaithersburg Department of Parks, Recreation and Culture at 301-258-6350 or visit the City's website at www.gaithersburgmd.gov.

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For Release October 5, 2009

Deadline Extended for Maryland Property Tax Credit Qualified Homeowners Urged to Apply!

Gaithersburg, MD. Qualifying homeowners may be able to save hundreds or more on their property taxes under the State of Maryland Property Tax Credit Program. The program gives a credit against a homeowner's property tax bill if the property taxes exceed a fixed percentage of the household income. The Maryland Department of Assessments and Taxation has extended the application deadline to November 2, 2009.

Application for this credit must be done annually, so even if a homeowner has applied for a credit in previous years, it must be done again.

A homeowner may be eligible for a property tax credit if:

- Annual household income is about \$60,000 or less;
- The homeowner owns or has legal interest in the property;
- The homeowner has lived in the home for at least six months or will live in the home for the next six to twelve months;
- The combined net worth of everyone in the household does not exceed \$200,000 (not including the value of the principal residence or the cash value of any qualified retirement savings or individual retirement accounts).

Note that only \$300,000 of the home's assessed value counts towards a property tax credit.

Residents of the City of Gaithersburg who qualify for a Maryland property tax credit are also eligible to receive an additional City property tax credit. The Gaithersburg program allows for a 50% supplement of the State credit.

To apply for the credit, call the Maryland State Department of Assessments and Taxation (SDAT) at 1-800-944-7403 or download the form and instructions from the agency's website at www.dat.state.md.us/sdatweb/htc.html. Questions may also be directed to the City of Gaithersburg Department of Finance and Administration at 301-258-6320.

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For Release September 25, 2009

Gaithersburg Skate Park Hosts Skateboard Competition

Gaithersburg, MD. The Gaithersburg Skate Park invites skaters of all levels to the 2009 Autumn Skateboard Competition to be held on Saturday, October 17 from 11 a.m. to 4 p.m. All proceeds made by the City of Gaithersburg will be contributed to the Dolores Swoyer Summer Camp Scholarship Fund.

The Convoy Skateboard Team will do a demonstration prior to the start of the contest. Skate shops including Charmcity, Velocity, Pure and Vu will have merchandise for sale at the event and Growlers Restaurant will have food available for purchase. There will also be a prize drawing and a chance to win prizes donated by DC101. The registration fee for competitors is \$5, and can be made in advance or on the day of event. Space is limited, and registrations will be processed on a first come, first served basis. There is no admission fee for spectators. The Skate Park is located at 510 South Frederick Avenue, Gaithersburg.

Contestants may choose from any of the three events: Beginner, Intermediate or Advanced Skateboard. Judging will be based on style, consistency and technical presentation. Participants may not enter multiple events. Practice time will be allotted before each event. Each participant will receive two one-minute runs through the course and scores will be tallied after each run, with the best score being used. All skaters must sign a Gaithersburg Skate Park Liability Wavier and skaters under the age of 18 must have the waiver signed by their parent or legal guardian.

For more information please call Maura Dinwiddie at 301-258-6350 ext. 168 or email skatepark@gaitersburgmd.gov.

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Mayor
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Council Members

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



For Release October 1, 2009

Gaithersburg Adds New Locations to Safe Speed Enforcement Program

Gaithersburg, MD. Two new locations have been approved for enforcement efforts under the City of Gaithersburg's Safe Speed program. The newest locations are on Northbound South Frederick Avenue prior to Education Boulevard and Southbound South Frederick Avenue prior to South Summit Avenue. The posted speed limits in these locations are 30 miles per hour for southbound South Frederick and 35 miles per hour for Northbound South Frederick. The cameras will become operational on October 1, 2009. A grace period during which only warnings will be issued to motorists who exceed the posted speed limit by 12 miles per hour or more will begin on October 1 and end on October 16, 2009.

Jurisdictions within Montgomery County were granted the authority to operate the cameras in 2006. Conducted in conjunction with the City of Rockville, the Town of Chevy Chase and Montgomery County, Gaithersburg's Safe Speed program authorizes the use of the cameras in residential and school zones with speed limits of 35 miles per hour or less.

The Gaithersburg Police Department conducted traffic surveys to determine locations most in need of speed reduction efforts. Existing enforcement areas include Diamond Drive, Marquis Drive, North Summit Avenue, Quince Orchard Boulevard, Quince Orchard Road, Watkins Mill Road, and West Deer Park Road.

The goal of the Safe Speed program is to reduce speeding on residential streets and streets near schools in an effort to prevent injuries and fatalities among pedestrians and motorists. Since the program became operational in July of 2007, Gaithersburg Police have observed a reduction in the number of citations issued.

Detailed information about the program, including locations of photo radar enforcement efforts, instructions for paying fines and a list of frequently asked questions, is available on the City's website at www.gaithersburgmd.gov/police. For additional information contact the Gaithersburg Police Department at 301-258-6400.

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Mayor
Sidney A. Katz

City Manager
Angel Jones

Council Members

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

Outside Correspondence

**Mayor and City Council Meeting
October 5, 2009
Testimony**

Good evening. My name is JoAnn Schimke and I live at 734 Tiffany Court in Gaithersburg.

I am here tonight to tell about my experiences with a City employee that I met 20 years ago. I was a new community leader in Gaithersburg and needed help with several code violations that had been brought to my attention. I called the City of Gaithersburg and they put me in touch with a new Code Enforcement Officer. His name was Fred Felton. Fred was very responsive to my requests and I called on him several times over the years for his assistance.

One day we had a meeting and he told me had been promoted to Director of Neighborhood Services. Fred was now over Code Enforcement, Rental Housing, Animal Control and the new Council in the Communities Program. For this program, he was responsible for coordinating meetings between the communities and the City Council and staff. We worked together on several of these meetings for my community and they were very successful.

Then, 10 years ago, he was promoted to his current position of Assistant City Manager. It is in this position, that I believe Fred has been given the opportunity to reach his full capacity of service to the City of Gaithersburg. He has negotiated multiple development and redevelopment projects within the City. He is the liaison to the Mayor and City Council and works with other local governments on various issues and projects that concern the City. He especially excels in Annapolis during the Legislative Session which takes place from January to April each year. He is well known and respected by many Maryland State Senators and Delegates. He is tireless in his efforts to ensure the passage of legislation that benefits the citizens of Gaithersburg, even if it means traveling to Annapolis in the evening or during the weekend. Thanks to his efforts, City residents were spared a new tax for Montgomery County Parks and much needed revenue was generated for the City through a new hotel tax.

It has been a pleasure and privilege to work with Fred Felton for the past 20 years. He is not only a dedicated employee, but he is also very passionate about serving the City of Gaithersburg. I believe he should be given the opportunity to continue his valuable service.

To Promote the Preservation, Protection and Enjoyment of Montgomery County's Rich Architectural Heritage and Historic Landscapes

MPI PUBLIC APPEARANCE
BEFORE THE GAITHERSBURG MAYOR AND COUNCIL
OCTOBER 5, 2009
IN REGARD TO Z-311 AND CSP-09-001

Good evening, I am Judy Christensen, Executive Director of Montgomery Preservation, Inc. (MPI), a county-wide non-profit preservation education and advocacy organization. I am speaking on behalf of the officers and Board of Directors. MPI has submitted opposition to the Wilson proposals Z-311 and CSP-09-001 in concern about the City's flawed process of evaluating potentially historic sites on the City's inventory. MPI maintains that this rezoning would be: (a) in violation of City law; (b) in violation of Maryland law; and (c) would do gross injustice to the City's well-designed master plan recommendations and comprehensive zoning which protects neighborhoods and historic resources.

As MPI explored the chronology of the Wilson project and reviewed the hearings and documents, it was discovered that the properties proposed for rezoning are not eligible for the Corridor Development zone according to the criteria in the Gaithersburg City Code.

The City of Gaithersburg Code ("City Code") clearly states:

(a) No land shall be classified in the Corridor Development Zone unless the land is located within an area so designated on an approved and adopted corridor development area master plan. City Code § 24-160G-3 (Minimum location requirements).

This is a clear statement of eligibility. The lots fronting on South Frederick Avenue at DeSellum were included within the physical boundaries of the Frederick Avenue Corridor and proposed for CD zoning and a maximum 5,000 additional square feet of development. The lots on DeSellum and the landlocked parcel behind the residences were not within the boundaries of the corridor and were not discussed in the plan. That in itself appears to render them ineligible for rezoning to CD according to the Code. Furthermore, the City Code states that the city council may approve CD zoning by local map amendment *only upon a finding that*, "The application is in accord with recommendations in the applicable master plan for the area and is consistent with any special conditions or requirements contained in said master plan." City Code § 24-160G.7. And, we add, they must be physically within the corridor boundaries as stated in the City Code.

The owner and his attorney claim that the lack of inclusion within the approved and adopted corridor master plan was a "mistake." The staff report says that all lots under one owner should have been zoned CD. In fact, the lot at 11 DeSellum that separates the subject properties into non-contiguous parcels was owned by a different owner when the Corridor Master Plan was prepared, heard, and adopted. Maryland law is very rigorous on proof of a zoning mistake. Hindsight or a better opportunity cannot be considered a mistake. It also appears that an amendment to the Master Plan would be required, not just a change in zoning.

Despite these apparent obstacles, staff, the owner and his attorney, Mr. Kline, have continually stated that the land is in accord with all recommendations in the applicable master plan and is consistent with special conditions or requirements of the master plan, and with the character of the area.

The proposal calls for a 20,000 square foot NEW building and rehabilitation of two of the residential structures for office use and 116 parking spaces. It is claimed that this is in accord with the Master Plan recommendation of 5,000 square feet. It also states that the design of the new building is in character with the area. The area is characterized by detached one-to-two and a half story residential structures separated by side lots and set back from the street by front lawns. The proposed structure is a rectangular 2-1/2 story building, built flush to the sidewalk, with gables added to appear as townhouse office units. The local area character includes no attached residential or office structures of this type. The staff report also says this project will start to establish a building edge along this section of Frederick Avenue, an admission that there is no building edge in existence here. This proposal is not in character with the area.

The City Attorney has gone through MPI's comments and backed staff's interpretation of the Code where it pertains to the Frederick Avenue Corridor Master Plan. MPI respectfully continues to disagree. Both the proposed zoning and the concept plan by reference are illegal, because the concept plan can only be implemented through an illegal change in zoning. MPI will continue to oppose this situation until there is a legal resolution.

MPI has a great deal of affection and admiration for Gaithersburg, a winner of the Montgomery Prize and a number of excellence in preservation awards. But here we see the process gone awry with great potential consequences. If the staff and City will not follow their own Code and will search for ways to subvert it for some owners, why should anyone take City Codes and master plans seriously? MPI urges the Council to deny both of these requests and ask the owner to return with a plan that is in compliance with the Corridor Master Plan and is designed to fit in a National Register Eligible historic area.

September 17, 2009



Distributed to M&CC:10/12/09
AJ, JA, BJ, Pers File



Mayor Sidney Katz
City Hall Summi9t Avenue
Gaithersburg, Md 20877

Dear Mr. Mayor,

I would like take this opportunity to call your attention to the excellent help and assistance I received from a city employee with my difficult problem of the bulk pickup of logs, an old stove and other unwanted items.

I called public works and was directed to Mr. Bob Johnson. He took the time to discuss the pickup of the unwanted items and also advised me on what items could not be accepted. Because of the location of the pickup and traffic on the street, he informed me where to place the items and provided a rough time frame for the pickup. He came on site within the time frame promised and the pick was made smoothly and efficiently.

Please express my appreciate to Mr. Johnson.

Thank you.

A handwritten signature in black ink, appearing to read "Robert J. Durst".

Robert J. Durst
21 Desellum Avenue
Gaithersburg, Md 20877

From: [Sidney Katz](#)
To: [Angel Jones](#); [Doris Stokes](#); [Sidney Katz](#); [Monica Sanchez](#); [Marie Best](#); [Tony Tomasello](#)
Subject: Fw: 10-4 & thanks, Gaithersburg!! ... RE: Lighting concerns along Diamondback Drive
Date: Tuesday, October 06, 2009 10:46:14 AM

FYI
Thanks!!
Sidney

From: Martus, Mary Alice, for the Chief of Police <MaryAlice.Martus@montgomerycountymd.gov>
To: Ollie Mumpower
Cc: Sidney Katz; John King; Marie Best
Sent: Tue Oct 06 10:44:46 2009
Subject: 10-4 & thanks, Gaithersburg!! ... RE: Lighting concerns along Diamondback Drive

Wow ... very impressive follow-through diligence. Thanks for keeping me in the loop notification-wise that you haven't forgotten my street-lighting concerns from a few years ago vis-à-vis public-safety issues for pedestrians using the bus stops.

Again, thanks for staying on top of this, Ollie. I certainly do appreciate Gaithersburg's customer-service responsiveness!

~Mary Alice Martus, Greens of Warther resident from Bent Twig Lane ...

Mary Alice N. Martus
Senior Executive Administrative Aide to the Chief of Police
Montgomery County Police Department
2350 Research Boulevard - HQ
Rockville, Maryland 20850
(240) 773-5005
MaryAlice.Martus@montgomerycountymd.gov

-----Original Message-----

From: Ollie Mumpower [mailto:OMumpower@gaitthersburgmd.gov]
Sent: Tuesday, October 06, 2009 10:38 AM
To: Shoemaker, Tommy
Cc: Jim Arnoult; Marie Best; Martus, Mary Alice, for the Chief of Police; Kevin Roman
Subject: RE: Lighting concerns along Diamondback Drive

Did you ever have a chance to consider the request detailed below?

-----Original Message-----

From: Ollie Mumpower
Sent: Wednesday, April 01, 2009 1:20 PM
To: Shoemaker, Tommy
Cc: Jim Arnoult; Marie Best; MaryAlice.Martus@montgomerycountymd.gov
Subject: Lighting concerns along Diamondback Drive

Tommy:
On the north side of Diamondback Drive (CO 211) between Story Drive and

Muddy Branch Road there are seven (7) lights on wooden poles. Attached is a map showing 4 of the 7 lights are not working. Since these lights are on wooden poles I would assume the responsibility of repairing these lights would fall to PEPCO. Can you report these to PEPCO for repair? If you would like us to follow-up with PEPCO we would be glad to do so.

In addition to this issue we have received several calls regarding overall lighting in this area.

On the south side of Diamondback Drive there is an existing sidewalk but no lights on that side. Of the seven lights on the north side at least four of the lights are surrounded by trees that greatly reduce the amount of light that reaches the sidewalk on the south side.

It would be great if someone could look at this stretch of road and determine the benefit that could be derived from adding lights on the south side to provide illumination for those using the sidewalk. There are several heavily used bus stops in this area that generate pedestrian traffic.

In the short term it may be helpful if someone could trim the trees in this area to open up the lighting. Would this be done by the County or by PEPCO?. In addition, if this has not been done recently, relamping of the existing lights could be of some benefit. Once again we would be happy to contact PEPCO regarding either of these options.

Please let me know if I can assist in any way.

Ollie K. Mumpower
Engineering Services Director
Department of Public Works
800 Rabbitt Road Gaithersburg, Maryland 20878-1600 301-258-6370 Ext.
106
301-258-6375 FAX
301-258-6430 TTY
omumpower@gaitersburgmd.gov
www.gaitersburgmd.gov

From: [Sidney Katz](#)
To: [John King](#); [Angel Jones](#); [Doris Stokes](#); [Sidney Katz](#); [Monica Sanchez](#); [Marie Best](#); [Tony Tomasello](#)
Subject: Fw: Washingtonian Towns Community
Date: Thursday, October 01, 2009 8:53:34 AM

FYI
Thanks!!
Sidney

From: daxler@comcast.net <daxler@comcast.net>
To: Sidney Katz
Sent: Thu Oct 01 08:52:27 2009
Subject: Re: Washingtonian Towns Community

I appreciate your prompt response and look forward to hearing from the others you mentioned.

Thanks.

----- Original Message -----

From: "Sidney Katz" <SKatz@gaithersburgmd.gov>
To: daxler@comcast.net
Cc: "John King" <JKing@gaithersburgmd.gov>, "Angel Jones" <AJones@gaithersburgmd.gov>, "Doris Stokes" <DStokes@gaithersburgmd.gov>, "Marie Best" <MBest@gaithersburgmd.gov>, "Monica Sanchez" <MSanchez@gaithersburgmd.gov>, "Sidney Katz" <SKatz@gaithersburgmd.gov>, "Tony Tomasello" <TTomasello@gaithersburgmd.gov>
Sent: Thursday, October 1, 2009 8:26:03 AM GMT -05:00 US/Canada Eastern
Subject: RE: Washingtonian Towns Community

Dear Ms. Axler,

Thank you for your email. I am forwarding your email to the City Manager's office and the Chief of Police and will ask them to contact you and to keep me advised as well.

Sincerely,
Sidney Katz

From: daxler@comcast.net [mailto:daxler@comcast.net]
Sent: Thursday, October 01, 2009 8:17 AM
To: Sidney Katz
Subject: Washingtonian Towns Community

Dear Mayor Katz,

I am writing to you regarding disturbing incidents that are occurring in my community-Washingtonian Towns (Curry Ford Lane and surrounding streets) in Gaithersburg.

I have noticed a lot of unusual activity in the past couple months that only seems to be on the increase.

I have seen people who do not appear to leave in the community walking around, day and night, in back and behind the townhomes, cars driving slowly around and

reappearing five or ten minutes later, cars parking in spaces for five or ten minutes with people in them and then just leaving, and "gangs" of people walking around in the dark. Last night at 3:00 am. I woke up because of loud screaming somewhere on my street (which I called the police to check).

I am very concerned about these activities in the community and my family's safety. I have lived here since 1985 and the community does not feel safe to me anymore. Is it possible for our community to be put on the list of communities that your police officers patrol regularly, especially at night? Is there a police officer assigned to this area already?

I would be most grateful for anything you can do to help with this situation.

Thank you,
Debra Axler

12 Duvall Lane
Gaithersburg, Md. 20877

September 28, 2009

The Honorable Mayor Sidney A. Katz

Members of the City Council

31 S. Summit Ave.

Gaithersburg, Md. 20877

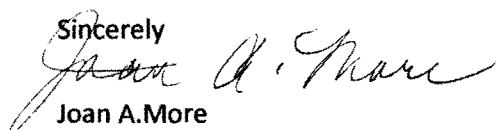
Dear Mr. Mayor & City Council Members,

Sunday was the surprise of my life. I never suspected anything about receiving an award or even being nominated for such an award. I want to thank all who thought enough of me to have selected me for such a prestigious presentation.

I have enjoyed my volunteering on all of the committees that I have been appointed to and will continue to do my utmost to contribute to the best of my ability in the future.

Thank you again for this truly unexpected commendation.

Sincerely

A handwritten signature in cursive script that reads "Joan A. More". The signature is written in black ink and is positioned above the printed name.

Joan A. More