

TOWN OF CHEVY CHASE
TOWN COUNCIL MEETING
November 10, 2004

Present: Bill Hudnut, Mayor; Mier Wolf, Vice Mayor; Rob Enelow, Treasurer; Scott Orbach, Secretary; Linna Barnes, Community Liaison; Todd Hoffman, Town Manager; Marty Hutt, Town Attorney; and Andi Silverstone, Town Clerk. Residents and guests: Peter B. and Barbara Dove, 3907 Underwood Street; Janet Freimuth, 4009 Underwood Street; Thomas Heidenberger, 3909 Underwood Street; Don and Peg MacGlashan, 4114 Woodbine Street; Eric Murtaugh, 4117 Leland Street; and Kay and James O'Brien, 4413 Stanford Street.

I. General Business

A. Call to order – 7:30 p.m.

Mayor Bill Hudnut called the meeting to order at 7:30 p.m.

B. Pledge Allegiance to the Flag

The Mayor led those in attendance in the pledge of allegiance to the flag.

C. Comments, questions, suggestions from residents (Agenda Item III.B “July 4 Flag Distribution and Collection” was discussed during this part of the meeting.)

Mayor Hudnut introduced Town resident, Tom Heidenberger, 3907 Underwood Street. Mr. Heidenberger came before the Council to ask for help in organizing a flag distribution and collection program for the 4th of July. Previously, small flags had been placed in the Town right-of-way by a real estate agent, but the flags had not been collected. The real estate agent decided to discontinue the flag distribution effort if collection was mandatory, which it is.

There was discussion about various ways to handle the project. It was the sense of the Council to make the flag distribution and collection a community event that would build community spirit. The Town would buy the flags and Mr. Heidenberger and volunteers would distribute them and pick them up. Town residents Barbara and Peter Dove, 3907 Underwood Street, came to the meeting with Mr. Heidenberger to express support for the program. It was the sense of the Council that it would be preferable to have more adults rather than children to volunteer.

Don and Peg MacGlashan, 4114 Woodbine Street, came before the Council to suggest that those residents who want to fly the flag could do so on their own. They mentioned that they found many of the flags that had been distributed by the realtor were not taken care of.

Councilmember Wolf made a motion to create a Town 4th of July Committee to distribute flags before the holiday and remove them after the holiday. Tom

Heidenberger would be the Chair of the Committee. Councilmember Orbach seconded the motion, and it passed unanimously. An article will be included in the FORECAST about the flag project, asking for volunteers to help pick up the flags after July 4.

D. Approval of Minutes of September Council Meeting (Open and Executive Sessions) and October Council Meeting

Councilmember Enelow made a motion to approve the minutes of the open and executive sessions of the September Council and the minutes of the October Council meeting. Councilmember Wolf seconded the motion and it passed unanimously.

E. Acceptance of Financial Report for October

The financial report for October was accepted as presented.

II. Action

A. Curb Cut Application for 4415 Stanford Street

Town Manager Todd Hoffman framed the issues involved with the application for a second curb cut for James and Kay O'Brien, 4415 Stanford Street. The additional curb cut and proposed circular driveway would provide dedicated off-street parking for the applicants, who currently share a driveway with their neighbors.

Discussion followed about the type of paving that would be used for the driveway. It was the sense of the Council that the applicants use a permeable surface. There was also discussion about screening with plantings and the number of available on-street parking spaces. Councilmembers discussed the Town Manager's recommendation that no vehicles shall obstruct the sidewalk or impeded pedestrian traffic along the sidewalk in front of the applicants' house and adjacent to the circular driveway. It was the sense of the Council to include an article in the FORECAST reminding residents about keeping sidewalks clear of parked cars.

Councilmember Wolf made a motion to approve the curb cut with the following conditions: screening and permeable driveway surface to be approved by Town Manager; the applicant assumes the cost of the installation of the curb cut; and cars will not impede sidewalks. Councilmember Orbach seconded the motion, and it passed unanimously.

B. Approval of Supplemental Appropriation for Recycling Bins

Town Manager Todd Hoffman asked the Council for approval of a supplemental appropriation for \$1,690 to cover the costs of purchasing 200 new recycling bins for residents. In preparing the FY05 budget, staff did not anticipate the need for new or replacement bins. Councilmember Barnes made a motion to approve the request for the supplemental appropriation. Councilmember Orbach seconded it, and it passed

unanimously. At Councilmember Orbach's request, staff will include the cost of replacement recycling bins in the budget each year.

C. Approval of Supplemental Appropriation for Leland Center Additions and Renovations

The Town Manager asked the Council to approve a supplemental appropriation in the amount of \$175,000 for costs associated with renovating and expanding Town offices and County meeting space at the Leland Community Recreation Center. Construction of the project will not begin until the agreement between the Town and Montgomery County has been finalized.

Discussion followed about the advantages to the Town in terms of finances as well as enhanced space. The County's portion of the costs would be financed by the town in exchange for a full rent abatement for Town office space over the next 16 years. Although the Town budget provided \$250,000 for the Town's portion of the cost, the Town's actual cost will be approximately \$220,000 based on the agreement with Montgomery County.

Councilmember Wolf made a motion to approve the supplemental appropriation request of \$175,000 for the renovation project. Councilmember Barnes seconded the motion, and it passed unanimously. Councilmember Wolf has asked that appropriate pictures of the Town be a part of the decorations of the new office space.

III. Discussion

A. Consideration of Traffic Committee's Traffic Plan

The Town Manager provided Councilmembers with a list of Phase One Traffic Committee recommendations as well as a copy of the Committee's Comprehensive Traffic Plan. The Traffic Committee was asked to prioritize the recommendations that had not been acted upon.

The Council liaison to the Traffic Committee, Councilmember Enelow, asked for a sense from the Council about what each Councilmember thought of the remaining items. Issues raised included better identification of crosswalks by using streetscape and studying the intersection of Leland Street and East Avenue for safety concerns. It was the sense of the Council that engineering assistance would be needed for the Leland Street/East Avenue intersection. Councilmember Wolf made a motion that the Town Manager be instructed to obtain an engineering study of the intersection for safety issues, at the lowest possible cost, and that the scope of the study would be provided by the Traffic Committee. Councilmember Orbach seconded the motion, and it passed unanimously. It was the sense of the Council that a raised intersection should be studied for effectiveness and cost.

Mayor Hudnut indicated that he would continue to oppose a continuous sidewalk on Oakridge Avenue from Thornapple Street to Curtis Road. Discussion followed about how the installation of new sidewalks is resident-driven. It was the sense of the Council that it would be too costly to build continuous sidewalks on Oakridge Lane. Councilmembers discussed residents' request for adding a sidewalk on the north

side of Leland Street in the 4200 block of Leland Street. It was the sense of the Council to hire a traffic engineer to study the feasibility of installing a sidewalk and to make recommendations to the Council. The scope of work will be determined by the Traffic Committee and sent to the Council.

Discussion followed about the advantages of bidding a “time and materials” contract on a “not to exceed basis” for engineering services. Councilmember Wolf made a motion to give the Town Manager the authority to hire a traffic engineer on a “time and materials” basis. Councilmember Enelow seconded the motion, and it passed unanimously.

Councilmember Wolf asked that the Town start a volunteer program to educate the community about safe driving and teenage driving as well as pedestrian safety. He asked that the Traffic Committee submit articles for the FORECAST about good driving practices.

B. July 4 Flag Distribution and Collection

This item was discussed under Agenda Item I. C. “Comments, questions, suggestions from residents”.

IV. Reports

A. Mayor: Mayor Hudnut briefed Councilmembers on the status of the Li property at 7206 Meadow Lane. The Mayor also reported on the Planning Board hearing he attended regarding the resubdivision of the property at 7203 Oakridge Avenue.

Mayor Hudnut asked that the Tree Committee reconvene to consider raising the fine to \$5,000.00 for cutting down healthy trees.

B. Town Manager: (Report presented after committee reports) The Town Manager asked for guidance from Councilmembers as to how best to administer the sidewalk snow removal program. It has been confusing for residents due to the variability in the type and severity of snowstorms. The Town Manager recommended setting the threshold for removing snow higher than the current 2 inches level or canceling the program. It was the sense of the Council to set the standard level of snow accumulation at or around 5 inches for activation of the snow removal program, with the Town Manager having discretion for assessing whether or not any particular event warranted activation of the snow removal program. At or about 5 inches of snowfall, the Town Manager’s determination would be posted on the town website.

C. Committee Reports

1. Construction Committee: Councilmember Barnes, liaison to the Construction Committee, reported that the committee had voted to ask Town Attorney Marty Hutt to change the side yard setbacks to a minimum of 8 feet on one side for a total of 18 feet on both sides on all lots. The ordinance change would be modeled after a Chevy Chase Section 3 ordinance. Some residents had expressed concern about the size

of new homes and believed that the Town could control the size through setback regulations.

The Town Attorney was directed to craft the ordinance, which would be introduced at the December Council meeting. A public hearing would be scheduled for the January Council meeting.

There being no further business, the meeting was adjourned at 10:30 p.m.

Respectfully submitted,

Scott Orbach
Secretary

Transcribed by Andi Silverstone