

TOWN OF CHEVY CHASE  
TOWN COUNCIL MEETING  
September 8, 2004

Present: Bill Hudnut, Mayor; Mier Wolf, Vice Mayor; Rob Enelow, Treasurer; Scott Orbach, Secretary; Linna Barnes, Community Liaison; Marty Hutt, Town Attorney; and David Walton, Management Assistant. Residents and guests: Please see attached sign-in sheet.

Absent: Todd Hoffman, Town Manager

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 of Allegiance to the Flag

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

C. Comments, questions, suggestions from residents

Barbara Dove and Tom Heidenberger came to the Meeting to discuss their displeasure with the Town's decision to require Jane Fairweather to obtain a Town permit prior to placing American flags in the Town right-of-way around the July 4<sup>th</sup> Holiday. The Council decided that the Town would try to keep dialogue about this situation open and would let the community know if any action was planned.

D. Appropriation for Public Safety Equipment

Staff did not include funds for the purchase of a laser gun when preparing the FY05 Budget. Council was asked to approve an appropriation of \$3,773.45 to cover the cost of the Town's new laser gun. Councilmember Barnes made a motion to appropriate \$3,773.45 into the "Public Safety Program – Equipment" line item in the Capital Budget. Councilmember Wolf seconded the motion, and it passed unanimously.

E. Approval of Increase in Maximum Balance in Manager's Account

Councilmember Enelow presented a request made by the Town Manager to increase the maximum balance in the Manager's Account from \$35,000 to \$65,000 in order to minimize the number of transfers that must be made into the account each month. The Town's auditor recommended this action. Councilmember Enelow made a

motion to increase the maximum balance in the Manager's Account from \$35,000 to \$65,000. Councilmember Barnes seconded the motion, and it passed unanimously.

F. Approval of June Council Meeting Minutes

Councilmember Orbach made a motion to approve the minutes of the June Council meeting. Councilmember Enelow seconded the motion, and it passed unanimously.

G. Acceptance of Financial Report for June (unaudited) and July

Council Treasurer Rob Enelow gave the Treasurer's report. He made a motion to accept the financial reports for June (unaudited) and July. Councilmember Orbach seconded the motion, and it passed unanimously.

II. Discussion

A. Trash Collection for Elm Street Park and Leland Center

Councilmember Wolf presented the Council with a proposal for trash collection at Elm Street Park and the Leland Community Center. Town Manager Todd Hoffman researched several options for trash removal and recommended a cooperative program that utilizes both the Bethesda Urban Partnership and the Town's current trash collection contractor, Montgomery County Sanitation and Recycling (MCSR). Under the proposal, the Town would pay MCSR \$1,000 yearly to service the cans at the Leland Center and pay the Bethesda Urban Partnership \$2,574 yearly to service the cans in Elm Street Park. Councilmember Orbach made a motion to appropriate a total of \$3,574 to collect trash at Elm Street Park and at the Leland Community Center. Councilmember Enelow seconded the motion, and it passed unanimously.

B. 4200 Block of Leland Street – Traffic Study Request

Councilmember Enelow presented a petition to the Town Council from Leland Street residents requesting a new sidewalk. Councilmember Enelow, Town Manager Todd Hoffman, and resident Jennifer Loudermilk met with a traffic engineer who determined that there are several alternatives that can be researched.

After discussion, the Council thought that it was appropriate to refer the request to the Traffic Committee.

C. Oakridge Avenue Resubdivision Presentation

Lewie Bloom, who is applying for a subdivision on Oakridge Avenue, attended the meeting to update the Council on his proposed plan for 7203 Oakridge Avenue. Mr. Bloom informed the Council that the plans conform to current zoning requirements. The newly subdivided lot will have a 60' frontage and will be

approximately 135' deep. The house that will be constructed will have side setbacks of 8' and 10'. The plan reviewer at Park and Planning gave Mr. Bloom a list of conditions that had to be met before the plan could be approved. All of these conditions have been met. The subdivision request will now go before the Park and Planning Commission for approval.

Councilmember Wolf urged the developer to consider visual concerns when designing the house, including mitigating the height, not maximizing the surface area, and choosing a natural color. The Council was appreciative of the open dialogue but chose not to comment on the project, as they have not yet received any feedback from residents of the Town or notification of the hearing from Park and Planning.

### III. Action

#### A. Approval of LGIT 8<sup>th</sup> Amended and Restated Trust Agreement

The Local Government Insurance Trust (LGIT) recently voted to close its Health and Medical Benefits Pool (Pool). As part of their proposal to close the plan, the Board proposed to levy an assessment in the amount of \$3.18 million on those entities who were members of the Pool for the year ending June 30, 2003 and also return a portion of the General Fund surplus in the Primary Liability Pool in the form of credits to all eligible LGIT members having a positive balance in the Pool. For the Town, these amendments will result in the Town receiving a total of \$1,944 over the next three years. The Council was asked to approve a resolution that accepted the Amended and Restated Trust agreement.

After discussion, Councilmember Orbach made a motion to accept the Resolution as recommended by LGIT, and prepared by Marty Hutt, the Town's attorney. Councilmember Wolf seconded the motion, and it was approved unanimously.

### IV. Reports

A. Mayor : Vice Mayor Mier Wolf reported that he has been monitoring some proposed legislation that could affect density and height of development in Bethesda. Park and Planning is considering legislation that would allow for increased density of the Woodmont Triangle area. Additionally, the Montgomery County Council is considering allowing an increase in height to encourage affordable housing. Vice Mayor Wolf would like to see the County requiring developers to include additional amenities in their development plans. He is also not convinced that lifting current height restrictions will provide enough affordable housing to justify the height increase.

Vice Mayor Wolf would like to present testimony at a September 23 public hearing encouraging the County Council to ask thorough questions and undergo a thorough study of all of the possible impacts of the proposed legislation. It was the consensus of the Council that they were in favor of moderately priced housing but were concerned about too much high-density development. It was the sense of the Council that the Town would present a letter of testimony for the September 23 meeting, without coming out against affordable housing. The Town should be on record as far as asking questions about the new legislation.

Vice Mayor Wolf will prepare testimony and send it to the Town Council for review and approval before submitting it to the Montgomery County Council.

B. Committee Reports

The Town recently published a list of Committee Rosters in the Forecast. Mayor Hudnut thanked all of the Council Liaisons for volunteering to serve on and share the various Town Committees. Town residents will continually be added to the committees.

Councilmember Barnes informed the Council that Chevy Chase, Section 3 changed the side setbacks on all of their lots to 8' and 10'. Councilmember Barnes will be scheduling an open Construction Committee meeting in October to discuss setback changes. The Town will advertise the meeting in the October Forecast and send out a special mailing. Councilmember Barnes will chair the meeting. This will give Town residents an opportunity to consult with the Committee before any proposals are presented to the Council.

Mayor Hudnut encouraged Councilmembers to attend the National League of Cities Conference in Indianapolis.

There being no further business, the meeting was adjourned at 9:40 p.m. and the Council reconvened in Executive Session to discuss a personnel matter.

Respectfully submitted,

Scott Orbach  
Secretary

Transcribed by David Walton