

TOWN OF CHEVY CHASE
TOWN COUNCIL MEETING
March 8, 2006

Present: Bill Hudnut, Mayor; Linna Barnes, Vice Mayor; Rob Enelow, Treasurer; Scott Orbach, Secretary; Mier Wolf, Community Liaison; Todd Hoffman, Town Manager; Marty Hutt, Town Attorney; and Andi Silverstone, Town Clerk. Residents and guests: Please see attached sign-in sheet.

I. General Business

A. Call to order – 7:00 p.m.

Mayor Hudnut called the meeting to order at 7:00 p.m.

B. Pledge Allegiance to the Flag

The Mayor led those in attendance in the pledge of allegiance to the flag. When it was discovered that the flag was still at the Leland Center, Town Clerk Andi Silverstone brought it back to the Town Hall, and the pledge was recited again.

C. Comments, Questions, Suggestions from Residents

There were no residents in attendance who wanted to speak on any non-agenda item.

D. Approval of Minutes of January and February Council Meetings and February Executive Session

Councilmember Orbach made a motion to approve the minutes of the open sessions of the January and February Council meetings and the February Executive Session. Councilmember Barnes seconded the motion, and it passed unanimously.

E. Acceptance of Financial Report for January and February

Councilmember Enelow made a motion to accept the financial reports for January and February. Councilmember Wolf seconded the motion, and it passed unanimously.

F. B-CC High School Computer Contribution

Councilmember Wolf briefed Councilmembers on the request for new computers from B-CC High School. The B-CC Educational Foundation needs \$50,000 for 50 to 60 new computers. The Foundation was requesting \$15,000 from the Town. Councilmember Wolf introduced Matthew Gandal, President of the B-CC High School

Educational Foundation, and Sean Bulson, the Principal of the high school to the Council. Each made a few remarks about the need for the computers and thanked the Council for its past support

Councilmember Wolf made a motion to approve the request from the B-CC Educational Foundation for a contribution of \$15,000 for the purchase of new computers. Councilmember Enelow seconded the motion, and it passed unanimously.

G. Chevy Chase Historical Society Contribution

Town resident Mary Anne Hoffman, 7104 44th Street, and Mary Sheehan, President of the Chevy Chase Historical Society (CCHS), came before the Council to request a contribution of \$10,000 toward the production of a video on the history of Chevy Chase. The project is part of the 25th Anniversary celebration of the CCHS. The video will be professional quality and will run for 15 minutes. It will be converted to DVD format. The historical society interviewed 6 producers and selected one who is from Montgomery County. They plan to premiere the video at the Leland Center for the CCHS's Community History Day fair on October 7.

Councilmember Wolf made a motion to approve the request for a \$10,000 donation to the CCHS to produce a video of the history of Chevy Chase. Councilmember Barnes seconded the motion, and it passed unanimously.

H. Rock Creek Forest Playground Contribution

Dennis Flannery, 7311 Maple Avenue, came before the Council to request a contribution to help pay for the renovation of the playground at the Rock Creek Forest Elementary School. The school is located near East-West Highway on Grubb Road. Several families from the Town of Chevy Chase have children who attend the school.

Mr. Flannery reported that the playground is in need of expansion and some of the equipment needs to be replaced. The playground has never been rehabilitated. Mr. Flannery, on behalf of the PTA, asked the Council for a \$500 contribution (or more) toward the improvement of the playground.

Councilmember Wolf made a motion to grant the request for a \$500 contribution with a short article in the FORECAST explaining how Town residents could also contribute. Councilmember Barnes seconded the motion, and it passed unanimously.

I. 9/11 Memorial Contribution

The request for the 9/11 memorial contribution was deferred.

J. Moratorium Implementation Steering Committee Report

Barry Hager, 4300 Willow Lane, Chair of the Steering Committee, reported that the committee has approved two concept papers. They will be drafted in legal form and incorporated into an ordinance.

K. Pool Committee Report

Gary Schlager, 7204 Ridgewood Avenue; Tom Brault , 6912 Woodside Place; and Michael Stein, 4212 Maple Terrace came before the Council to give an update on the work of the Pool Committee. The Mayor pointed out that there would be no debate at this meeting. The purpose of the Pool Committee report was to give information about what they've accomplished. Messrs Schlager, Brault and Stein gave a Powerpoint presentation.

The committee looked at goals and values, site analysis and surveyed the residents, and prepared action items. Committee members examined several sites, and determined that the Leland Center was the most feasible location for the pool, notwithstanding that the Leland Center is county property. Architect Dave Lemay described drawings he had made of a pool and amenities at two sites: the Leland Center and Elm Street Park. They described projected costs. They asked the Council to move forward by holding a Town meeting on the concept of a pool. They also asked that the Council make a funding request of Montgomery County. They pointed out that the funding request could be withdrawn if the pool was not approved by the community.

Mayor Hudnut determined that no action would be taken on the committee's request, and he appointed Councilmember Mier Wolf as liaison to the Pool Committee. The Mayor asked the committee members to determine Town and County authority regarding a pool on County property.

L. Supplemental Appropriation for Legal Expenses (January and February)

Councilmember Barnes made a motion to approve a supplemental appropriation for legal expenses in the amount of \$66,075. Councilmember Enelow seconded the motion, and it passed with vote of 4 to 1 in favor. Councilmember Orbach was opposed.

II. Public Hearing

A. Public Hearing on an Ordinance to Amend Chapter 4, Article 1, Section 4-3 of the Town of Chevy Chase Code to Codify the Requirement for a Pre-Permit Application Consultation and a Pre-Construction Meeting Consultation.

The public hearing on the amendment was recorded. Copies of the transcript can be made available.

III. Discussion

A. Work Session on an Ordinance to Amend Chapter 4, Article 1, Section 4-3 of the Town of Chevy Chase Code to Codify the Requirement for a Pre-Permit Application Consultation and a Pre-Construction Meeting Consultation

Councilmember Barnes, liaison to the Construction Committee, led Councilmembers through the provisions of the proposed ordinance to amend Chapter 4, Article 1, Section 4-3 of the Town Code. Each section was discussed. There was discussion about how the size of a project should be considered when determining the threshold for what projects would be included in the terms of the amendment. It was the sense of the Council to use the minimum of a 500 square foot addition to be covered by the amendment. Councilmember Enelow preferred 250 square feet. The Council acknowledged that the amount could be changed later. There was also discussion about whether or not a Councilmember should be present at the pre-permit application meeting. For the pre-application meeting, it was the sense of the Council that either a Councilmember or Town staff should attend.

There was discussion about the definition of demolitions and how there could be loopholes. Councilmembers took a straw vote and determined that the language used in the setbacks ordinance to cover demolitions would also be used in the Pre-Permit Application Consultation and Pre-Construction Meeting Consultation ordinance. The Town attorney also will add language to define “near tear downs.”

There was discussion about requiring a drainage plan with building permits. It was the sense of the Council to require a drainage plan at the Pre-Construction meeting, but not at the Pre-permit application meeting.

Discussion followed about procedures for notifying adjoining and confronting residents in writing as well as posting the notice on the Town’s website. In addition, the residents that are requesting the permit will have to place a sign on their property.

There was discussion about site management, and it was determined by the Council that the Town Manager or his designee would handle site management. If a resident needs an extension on a permit, it must be sign by the Mayor and Town Manager.

The Town Attorney and staff were asked to check the sequencing of the language in the code and to check all references to sections in the code for consistency.

There was discussion about changing the title of Chapter 4, Sec. 4-3 from “Building permit generally” to “Building Permit in General.” Councilmember Barnes made a motion to change the title of the section. Mayor Hudnut seconded the motion, and it passed unanimously.

B. FY07 Off-Duty Police Services

For FY07, the Town Manager recommended that the Town consolidate its off-duty police officer services with Montgomery County and that the Town not renew its contract with CC Village. The intention is to increase the number of County officers’ hours to equal that of the current combined police service hours, thereby resulting in no net loss of patrol hours. Among the reasons for the consolidation are that Montgomery County officers are better trained and more experienced, even though the hourly rate for Village officers and County officers is almost equal. Consolidating off-duty police services with MC will result in centralized command and control. Sgt. John D’Albora, MC Police, will be able to coordinate all of the officers’ schedules and better target problem areas in Town. Currently, there are 2 different persons coordinating 2 different

police patrols, often based on availability, not need. In addition, the Village has not been able to meet their contractual hours lately due to problems with recruitment and retention.

Councilmember Enelow made a motion to adopt the plan for police services as recommended by the Town Manager. Councilmember Barnes seconded the motion, and it passed with all in favor.

There being no further business, the meeting was adjourned at 10:20 p.m.

Respectfully submitted,

Scott Orbach
Secretary

Transcribed by Andi Silverstone