

TOWN OF CHEVY CHASE
COUNCIL MEETING
May 9, 2007

Present: Linna Barnes, Mayor; Rob Enelow, Vice Mayor; Lance Hoffman, Secretary; Kathy Strom, Treasurer; Mier Wolf, Community Liaison; Todd Hoffman, Town Manager; Ted Pochter, Assistant Town Manager; David Podolsky and Ronald Bolt, Town Attorneys; and Andi Silverstone, Town Clerk. Residents and guests: Kevin Bromberg, 3720 Williams Lane; Jean Carlson, 7315 Maple Avenue; Hunter Hogwood, 6916 Western Drive; Amanda LaForge, 3915 Woodbine Street; David Lublin, 4214 Thornapple Street; Bill Pritchard, 7211 Ridgewood Avenue; Rachel Ruina, 7213 Maple Avenue; Stuart Sessions, 7700 Meadow Lane; Jennifer Stein, 4212 Maple Terrace; Costis Toregas, 4325 Leland Street; and Ralph Viggiano, Principal of Rosemary Hills Elementary School.

I. General Business

A. Call to order

Mayor Barnes called the meeting to order at 7:05 p.m.

B. Pledge of Allegiance to the Flag

Mayor Barnes led those in attendance in the pledge of allegiance to the flag. She announced an addition to the agenda under General Business: Item H. Rosemary Hills Playground.

C. Public Comments

David Lublin, 4214 Thornapple Street, requested that the Town notify Montgomery County of the Town's Tree Ordinance so that County employees, who are doing the storm drain repairs in Town, will be aware of its provisions.

D. Acceptance of Minutes of March and April Regular Meetings and Executive Sessions

Councilmember Strom made a motion to approve the minutes of the March and April regular meetings and executive sessions. Councilmember Hoffman proposed one correction to the April regular meeting minutes. This was accepted and called, and it then passed unanimously.

E. Acceptance of April Financial Report

Councilmember Hoffman made a motion to accept the financial report for April. Councilmember Enelow seconded the motion, and it passed unanimously. Councilmember Hoffman noted that the Town's financial condition is very healthy.

F. Swearing-In of Newly Elected Council Members

Town Clerk Andi Silverstone administered the oath of office to re-elected Councilmembers Barnes and Enelow.

G. Election of Officers

Councilmember Wolf made a motion to make the following nominations: Linna Barnes for Mayor; Rob Enelow for Vice Mayor; Kathy Strom for Treasurer; Lance Hoffman for Secretary; and Mier Wolf for Community Liaison. Councilmember Strom seconded the motion, and it passed unanimously.

Councilmember Wolf thanked Councilmember Hoffman for his excellent presentation of the Town budget at the Annual Meeting. Mayor Barnes said that she was honored to serve again as Mayor.

H. Rosemary Hills Playground

Jean Carlson, 7315 Maple Avenue, Rachel Ruina, 7213 Maple Avenue, and Jennifer Stein, 4212 Maple Terrace, came before the Council to describe the need for improvements to the playground at Rosemary Hills Elementary School. Parents and school officials are trying to raise a minimum of \$25,000 to replace some of the current equipment. They have raised \$15,000 to date. Ralph Viggiano, Principal of Rosemary Hills Elementary School, described the school and the student body and showed pictures of the equipment to the Town Council. He described the process by which a vendor will be selected for the project. To complete the playground improvement project, the minimum cost would be \$40,000.

Councilmember Wolf made a motion to contribute \$10,000 toward the playground equipment for which a need has been demonstrated. This donation will enable the school to complete their basic plan. Councilmember Enelow seconded the motion, and it passed unanimously.

II. Public Hearing and Council Actions

A. Public Hearing and Council Action on an Ordinance to Amend Chapter 4 of the Town of Chevy Chase Municipal Code to Modify Provisions Related to Walls on Private Property

Council had discussed and introduced this amendment to Chapter 4 at the March Council meeting. Councilmember Strom made a motion to adopt the amendment to Chapter 4 to modify provisions related to walls on private property. Councilmember Enelow seconded the motion, and it passed unanimously.

B. Introduction of an Ordinance to Amend Chapter 4 of the Town of Chevy Chase Municipal Code to Modify Provisions Related to Structures, Fences, Walls, Trees Hedges, Shrubbery and Other Plant Growth on Public Property Devoted to Private Use

This amendment is designed to clarify the Town’s laws regarding use of the Town’s right-of-way. It will prohibit structures, including fences, walls and hedges in the right-of-way.

Councilmember Enelow made a motion to introduce the amendment to Chapter 4. Councilmember Hoffman seconded the motion, and it passed unanimously.

C. Introduction of an Ordinance to Amend Chapter 4 of the Town of Chevy Chase Municipal Code to Modify the Method of Calculating the “Established Building Line”

Councilmember Hoffman made a motion to introduce the amendment to Chapter 4 of the Town code regarding calculation of the “Established Building Line.” Councilmember Wolf seconded the motion. Discussion followed about how the proposed ordinance would change the method by which the Town calculates the established building line and would bring the Town in conformance with the method used by Montgomery County. The motion passed unanimously.

Councilmember Strom had a question about a variance for a property on Ridge Street regarding the EBL calculation on a non-standard lot. Staff was directed to review the variance for the property on Ridge Street and determine the number of non-standard lots/blocks in the Town.

III. Discussions

A. DPS Permit Notification and Approval Process

Mayor Barnes and Town Manager Todd Hoffman briefed Councilmembers on a meeting between the smaller municipalities in Montgomery County and the Montgomery County Department of Permitting Services about permit notifications to dual-permitting jurisdictions. There was discussion about several options for notifying municipalities when a resident of a municipality applies to the County for a building permit.

After discussion, it was the sense of the Council to use e-mail to acknowledge receipt of notice of Town residents’ building permit applications to the County.

B. Sidewalk Policy

The Town Manager discussed the Public Services Committee’s request to establish a policy regarding sidewalk installation requests. Discussion followed about the recommended policy.

Mayor Barnes indicated that although the policy has the support of the Council, she prefers that the vote not be taken until next month, since the item was under “Discussion” rather than “Action” on the agenda.

Staff was directed to put a notice in the June FORECAST about the recommended policy and to ask for feedback from residents either via e-mail or during the public comment portion of the June meeting. Town resident Bill Pritchard, Chair of the Public Services Committee, will write an introductory paragraph to accompany this material.

There was discussion about whether or not the sidewalk policy should be an executive regulation, an ordinance or a policy. The Town Attorney advised that since the Town is not planning to assess abutting residents for any sidewalk project, it is appropriate to be written as a policy.

There was discussion about how and who to notify when a sidewalk is installed. It was the sense of the Council that the Town Manager include language in the policy for notification of residents, and that the language encompass notification through a variety of communications methods, but targeted to abutting and confronting neighbors.

C. Climate Protection Committee Proposed Questionnaire

Stuart Sessions, 7700 Meadow Lane and member of the Climate Protection Committee, came before the Council to present a draft of a questionnaire to estimate home and vehicle energy used by Town residents. Mr. Sessions explained that the specific questions were chosen to coincide with a detailed software package from the Department of Energy. The committee is hoping to establish a baseline greenhouse gas assessment.

There was discussion about the effectiveness of surveys, in general, and about the questionnaire, specifically. Questions were raised about the survey, e.g. how professional it is and whether or not Town residents are surveyed too frequently. There also was discussion about the process of data collection and interpretation. Town resident Costis Toregas was called on and relayed his experience, which Mr. Sessions and the Council found helpful. Mr. Sessions indicated that he would take some of the discussion into account in revising the survey.

It was the sense of the Council to try a test group for completing the survey, using the members of the Climate Protection Committee, and to have discussion groups among Town residents on the issue of energy usage. It was the sense of the Council to kick-off the push for education on this issue at the July 4 event.

D. Climate Protection Committee Request to Purchase Greentags

The Climate Protection Committee made a recommendation that the Town continue to purchase green tags to offset carbon dioxide emissions from the Town’s street lights for a 12-month period, starting from when the previous purchase expires. They recommended taking into account the possibility of a slight increase in the cost of electricity for the 12-month period and budgeting \$700 for the period.

Councilmember Enelow made a motion to budget \$700 for carbon offsets. Councilmember Wolf seconded the motion, and it passed unanimously.

IV. New Business

Councilmember Wolf wanted to bring up an old business matter, which was the Town's donation to the Chevy Chase Elementary School playground. The permitting process has stalled and needs to be restarted.

It was the sense of the Council that a letter should be sent to Montgomery County Superintendent Jerry Weast about the status of the Chevy Chase Elementary School ballfield project, and the need to submit certain permitting documents to Park and Planning. Councilmember Wolf suggested that funds not be released for any future similar projects until permits are issued.

Councilmember Wolf asked that staff investigate the cost of reusable to bags to distribute to residents for carrying their groceries.

Councilmembers Hoffman and Strom met with Doug Kennedy, PHRA engineer, to discuss the traffic impact of the development of lots 31 and 31A in Bethesda. More meetings will be scheduled.

There was discussion about tree safety, primarily on private property, and residents' concerns.

There was discussion about residents' perceptions of speeding on Aspen Street between Meadow Lane and Maple Avenue and on Chatham Road. Staff was asked to review the recent traffic study to check the hours of the greatest number of speeders and alert the off-duty Montgomery County officers to patrol the area more aggressively. It was the sense of the Council and the Town Manager that a speed hump policy for the Town is needed. The Public Safety Committee may use PHRA engineers to help develop a policy.

Councilmembers commented on the new pilot crosswalks. It was their sense to put an article in the June FORECAST about the crosswalks explaining why the locations were chosen and asking for resident feedback. Staff was asked to recommend locations in Town for white hash-mark crosswalk striping, where no street or drainage work will be done.

Councilmember Strom requested that Councilmembers be informed about the Standard Operating Procedures and Executive Regulations that have been prepared. The Town Manager will report back to the Council on the progress on these by the next meeting.

Town Manager Todd Hoffman informed the Council that the Climate Protection Committee had requested more fluorescent light bulbs for distribution to Town residents. The Town distributed 500 bulbs, and there are 20 left. Councilmember Enelow made a motion to purchase an additional 200 light bulbs at a total cost of \$478. Councilmember Wolf seconded the motion, and it passed unanimously.

Councilmember Wolf offered to respond to an e-mail that was sent to the Council by Town resident Rose Miller, 7000 Valley Place.

There being no further business, the meeting was adjourned at 10:00 p.m.

Respectfully submitted,
Lance Hoffman
Secretary

Transcribed by Andi Silverstone