

TOWN OF CHEVY CHASE
COUNCIL MEETING
MINUTES
January 11, 2017

OPEN SESSION TO VOTE TO ENTER CLOSED SESSION

At 6:30 p.m., in the Town Hall, Mayor Fosler moved to enter closed session pursuant to the Maryland Open Meetings Act, Maryland Code, General Provisions Article, Section 3-305(b)(7) to consult with counsel to obtain legal advice on a legal matter regarding private improvements in the public right-of-way; and pursuant to Section 3-305(b)(8) to consult with legal counsel about pending litigation regarding a code enforcement matter. Councilmember Rush seconded the motion, and it passed by a vote of 3-0, with Councilmember Flynn absent. Councilmember Flynn joined the closed session at 6:35 p.m. Town Attorney Ron Bolt and Town Manager Todd Hoffman were present. Council obtained legal advice on a code enforcement matter regarding a retaining wall in the public right-of-way. The session was adjourned at 7 p.m.

Council and Staff

Scott Fosler, Mayor
Mary Flynn, Vice Mayor
Barney Rush, Treasurer
Fred Cecere, Secretary
Cecily Baskir, Community Liaison

Todd Hoffman, Town Manager
Joel Happy, Finance Officer
Ron Bolt, Town Attorney

Residents and Guests

Deborah Vollmer, 7202 44th Street
Dedun Ingram, 4411 Elm Street
John Fitzgerald, 4502 Elm Street
Ann Ashbery & Russ Powell, 4404 Ridge Street
Helen Price, 4419 Ridge Street
Louis Evangelista, 4402 Walsh Street
Don & Peg MacGlashan, 4114 Woodbine Street

Marna Tucker, 3715 Bradley Lane
Christine Real De Azua, 4502 Elm Street
Michael & Jennifer Stein, 4212 Maple Ter.
John Freedman, 4408 Ridge Street
Joe Fontana, 4208 Rosemary Street
Leonard Scensny, 4312 Willow Lane
Matthew McDonald, Guest

I. GENERAL BUSINESS

A. Pledge of Allegiance

Mayor Fosler led those in attendance in the Pledge of Allegiance.

B. Town Council Vacancy

Mayor Fosler discussed the vacancy on the Town Council created by the resignation of Councilmember John Bickerman effective December 31, 2016. He noted that the Town Code states: "In case of a vacancy on the Council for any reason, the Council shall elect some qualified

person to fill the vacancy for the unexpired term.” Mayor Fosler said that the Council had considered a wide range of qualified candidates, including those from the many residents who had suggested names. He explained that given the short time remaining in Mr. Bickerman’s term, which expires May 10, 2017, and given the fact that the County Council will be deciding on the Bethesda Downtown Sector Plan during that period, the Town Council emphasized the desirability of filling the vacancy with someone who was active and knowledgeable in that area, and a consensus developed on Cecily Baskir (whose bio was distributed to Council for review). However, Mayor Fosler said, before making a final decision, that the Town Council wanted to hear further from any residents, and opened the floor to public comment.

Several residents commented: Deborah Vollmer, 7202 44th Street; Russ Powell, 4404 Ridge Street; Helen Price, 4419 Ridge Street; and Dedun Ingram, 4411 Elm Street.

Councilmember Cecere moved to appoint Cecily Baskir to the Town Council. Councilmember Rush seconded the motion, and it passed unanimously.

Council appointed Cecily Baskir as liaison to the Town’s Special Committee on the Bethesda Downtown Plan, and appointed Fred Cecere as liaison to the Town’s Special Committee on Purple Line Mitigation.

C. Approval of Minutes of December 21, 2016 Council Meeting & Executive Session

Councilmember Flynn moved to approve the minutes of the December 21, 2016 Council meeting and Executive Session. Mayor Fosler seconded the motion, and it passed by a vote of 4-0-1, with Councilmember Baskir abstaining.

D. Approval of December 2016 Financial Report

Town Manager Todd Hoffman presented the December 2016 financial report. Councilmember Cecere moved to accept the report. Councilmember Rush seconded the motion, and it passed unanimously.

E. Town Manager’s Report

Town Manager Todd Hoffman reported on the initiatives undertaken by staff over the past month.

F. Public Comments

Deborah Vollmer, 7202 44th Street, commented on historic preservation related to the Bethesda Downtown Plan.

Christine Real De Azua, 4502 Elm Street, commented on historic preservation related to the Bethesda Downtown Plan.

Joe Fontana, 4208 Rosemary Street, commented on the proposed FY17 budget reductions.

John Fitzgerald, 4502 Elm Street, commented on the proposed FY17 budget reductions.

II. COUNCIL DISCUSSIONS

A. Bethesda Downtown Plan

Council discussed issues and efforts related to the Bethesda Downtown Plan, including a letter to be submitted to the Montgomery County Council from a coalition of local communities.

B. Purple Line Mitigation

Council discussed issues and efforts related to Purple Line mitigation, including plans for the Capital Crescent surface and tunnel trails.

C. FY17 Budget Reductions

Council discussed possible FY17 budget cuts. Councilmember Cecere moved to shift some code enforcement responsibilities from the Town's contractor to Town staff; to reduce off-duty police coverage from two to one 8-hour shift per day; and to increase the snow accumulation threshold from 3 to 6 inches for the Town's sidewalk snow removal program; with the provision that the Council and Town staff will continue to monitor FY17 expenditures and make appropriate adjustments. Mayor Fosler seconded the motion, and it passed unanimously.

Councilmember Cecere asked staff to maintain a list of residents who indicate a need for assistance with clearing sidewalk snow up to 6 inches, and those who offer assistance with snow removal, and to make this list available to residents upon request.

Councilmember Flynn moved to direct staff to identify ways to make the best use of the Town's Neighborhood Watch Program. Councilmember Rush seconded the motion, and it passed unanimously.

III. VARIANCE HEARINGS

A. Ingram/Scensny, 4312 Willow Lane, Front Yard Setback, Rear Yard Setback, Side Yard Setback, Wall Plane Length

Town Manager Todd Hoffman reported that Deborah Ingram and Leonard Scensny, 4312 Willow Lane, were requesting variances to construct an addition to their house.

The applicants described the plan and the need for the variances.

One resident commented: Deborah Vollmer, 7202 44th Street.

Council discussed the request.

Councilmember Cecere moved to approve the variances. Councilmember Rush seconded the motion, and it passed unanimously.

B. Stein, 4212 Maple Terrace, Driveway Width and Non-Vegetative Front Yard Surface Coverage

Town Manager Todd Hoffman reported that Michael & Jennifer Stein, 4212 Maple Terrace, were requesting variances to expand the driveway in the front yard of their house.

The applicants and their architect described the plan and the need for the variances.

There was no one present who wanted to comment.

Council discussed the request.

Councilmember Rush moved to approve the variances. Councilmember Flynn seconded the motion, and it passed unanimously.

IV. NEW BUSINESS

Councilmember Flynn moved to direct staff to compile a list of Town-approved variances over the past 9 months. Councilmember Cecere seconded the motion, and it passed unanimously.

Council discussed ways to encourage and educate potential candidates for the Town Council.

V. ADJOURNMENT

There being no further business, Councilmember Flynn moved to adjourn the meeting at 9:40 p.m. Councilmember Cecere seconded the motion, and it passed unanimously.

Respectfully submitted,

Fred Cecere
Secretary

Transcribed by Joel Happy, Finance Officer

Audio recordings of Council meetings are available on the Town website (www.townofchevy Chase.org) approximately one week following each meeting.