

TOWN OF CHEVY CHASE
COUNCIL MEETING
MINUTES
February 8, 2017

OPEN SESSION TO VOTE TO ENTER CLOSED SESSION

At 6:00 p.m., in the Town Hall, Councilmember Flynn 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 regarding permissible uses of the public right-of-way; and pursuant to Section 3-305(b)(7) and (8) to consult with legal counsel about pending litigation (ACT lawsuit). Councilmember Rush seconded the motion, and it passed unanimously. Town Attorney Ron Bolt and Town Manager Todd Hoffman were present. Council obtained legal advice on 1) a retaining wall in the public right-of-way; 2) permissible uses of the public right-of-way; 3) the Town's responsibility for the public right-of-way; and 4) pending litigation (ACT lawsuit). 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
Jennifer Stein, 4212 Maple Ter.
Beryl Wessner, 6920 Woodside Place

Wicca Davidson, 7600 Connecticut Avenue
Stephan Lawton, 4120 Stanford Street
Abby Wallisch, Guest

I. GENERAL BUSINESS

A. Pledge of Allegiance

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

B. Approval of Minutes of January 11, 2017 Council Meeting & Closed Session

Councilmember Flynn moved to approve the minutes of the January 11, 2017 Council meeting and closed session. Councilmember Rush seconded the motion, and it passed by a vote of 4-0, with Councilmember Cecere absent.

C. Approval of January 2017 Financial Report

Town Manager Todd Hoffman presented the January 2017 financial report. Councilmember Flynn moved to accept the report. Councilmember Cecere seconded the motion, and it passed unanimously.

D. Town Manager's Report

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

E. Public Comments

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

II. COUNCIL DISCUSSIONS & PRESENTATIONS

A. Bethesda Downtown Plan

Council discussed issues and efforts related to the Bethesda Downtown Plan, including a letter that was submitted to the Montgomery County Council from a coalition of local communities; additional meetings between Town officials and Montgomery County Councilmembers and staff; testimony given by Town officials regarding a zoning text amendment related to the Bethesda Downtown Plan; and a traffic study conducted by the University of Maryland.

B. Purple Line Mitigation

Council discussed issues and efforts related to Purple Line mitigation, including plans for the Capital Crescent surface and tunnel trails; a letter to be submitted to the Maryland Transit Administration (MTA) requesting additional information on the potential level of noise from future operation of the Purple Line; and a permit request of the Purple Line construction contractor for water withdrawal and discharge at Elm Street.

C. Election Board Report

Council heard and discussed a report from the Town Election Board. Councilmember Baskir moved to accept the Election Board report. Councilmember Rush seconded the motion, and it passed unanimously. Councilmember Rush moved to adopt revised Town election procedures, as amended by Council. Councilmember Flynn seconded the motion, and it passed unanimously. Councilmember Cecere moved to implement optical scanning of election ballots for the 2017 election. Councilmember Rush seconded the motion, and it passed unanimously.

Councilmember Cecere moved to consider allowing Town residents who are non-American citizens to vote in Town elections. Councilmember Rush seconded the motion, and it passed unanimously.

III. FY17 BUDGET REDUCTIONS

A. Public Comments

Mayor Fosler summarized and explained the FY17 budget reductions approved by Council at the January 11 meeting.

Several residents commented: Deborah Vollmer, 7202 44th Street; Wicca Davidson, 7600 Connecticut Avenue; and Beryl Wessner, 6920 Woodside Place.

B. Council Discussion

Councilmember Flynn moved to restore a 3-inch snowfall threshold for the Town's sidewalk snow removal program. Councilmember Baskir seconded the motion, and it failed by a vote of 2-3, with Mayor Fosler and Councilmembers Rush and Cecere opposed.

Councilmember Baskir moved to establish a 5-inch snowfall threshold for the Town's sidewalk snow removal program. Councilmember Flynn seconded the motion, and it failed by a vote of 2-3, with Mayor Fosler and Councilmembers Rush and Cecere opposed.

Council agreed that the Mayor and Town Manager have discretion to instruct the Town contractor to proceed with sidewalk snow removal in situations where snowfall or icy conditions warrant assistance to residents, even if the snowfall threshold is not met. The Town Manager noted that this approach is consistent with past practice.

Councilmember Cecere moved to restore two 8-hour police shifts per day. Councilmember Rush seconded the motion, and it passed unanimously.

Council agreed to task the Public Services Committee with reviewing options for public safety and to report back to Council.

IV. ADJOURNMENT

There being no further business, Councilmember Flynn moved to adjourn the meeting at 9:20 p.m. Councilmember Rush 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.