

# Chevy Chase Village Board of Managers

October 11, 2010

## BOARD OF MANAGERS

David L. Winstead, Acting Chair	Present
Peter M. Yeo, Secretary	Present
Peter T. Kilborn, Assistant Secretary	Present
Gail S. Feldman, Treasurer	Present
Allison W. Shuren, Assistant Treasurer	Present
Lawrence C. Heilman, Board Member	Present

## STAFF

David R. Podolsky, Legal Counsel	Present
Shana R. Davis-Cook, Village Manager	Present
Roy Gordon, Police Chief	Present
Michael W. Younes, Director of Municipal Operations	Present
Demetri Protos, Finance Director	Present
Grace Brock, Administrative Assistant/Community Liaison	Present
Ellen Sands, Permitting and Code Enforcement Coordinator	Present

Mr. David L. Winstead, Acting Chair of the Chevy Chase Village Board of Managers, called the meeting to order at 7:35 p.m.

### **Approval of the minutes from the Board's regular and executive sessions held on September 13, 2010.**

**Ms. Feldman made a motion to approve the minutes of the Board's regular and executive sessions held on September 13, 2010. Mr. Yeo seconded the motion. Mr. Winstead, Mr. Yeo, Mr. Kilborn, Ms. Feldman, and Ms. Shuren and Dr. Heilman voted in favor of the motion. The motion passed.**

The Board reported that on October 11, 2010 at 6:30 p.m. it met in executive session in accordance with the Form of Statement for Closing a Meeting attached hereto.

### **Appointment to Fill Vacancy on the Board of Managers**

The Board unanimously appointed Patricia Baptiste of 7 Grafton Street to fill the vacant seat on the Board of Managers.

### **Swearing in of Board Members**

Shana R. Davis-Cook administered the Oath of Office to Patricia Baptiste to fill the vacant seat on the Village Board of Managers.

### **Election of Officers**

**The Board unanimously decided to postpone the election of officers until the November Board Meeting.**

### **Chevy Chase Open Space Discussion**

Ms. Davis-Cook reported on the Open Space Project. The Wohlfarth property was purchased by Montgomery County. Chevy Chase Village contributed \$940,000.00 towards the purchase price to acquire the property. The property was acquired to ensure that it would not be developed and that it would be maintained as an open space. The Village and the Maryland National Capital Park and Planning Commission were each to pay 50% of the cost of a design charrette that would have been moderated and supported by EDAW Inc. Due to economic conditions MNCPPC and the Village staff decided to work with internal staff to conduct the charrettes. Ms. Davis-Cook introduced Brenda Sandberg, Legacy Open Space Program Manager to explain the timeline.

Dr. Heilman asked when the charrette can be held. Ms. Davis-Cook and Ms. Sandberg stated that a charrette can be held in 5-6 months.

Ms. Baptiste asked if the Village resident's requests regarding the park would be given higher priority than the general residents' of Montgomery County. Ms. Sandberg stated that she hopes that there will not be a conflict and that the input from the Village residents will be very important.

Ms. Feldman asked who is responsible for liability for the park. Ms. Sandberg stated that Montgomery County is responsible. Discussion followed.

### **Treasurer's Report**

The Treasurer's report was distributed to the Board prior to the meeting. Ms. Feldman presented an update on the Operations Budget Overview, *SafeSpeed* Capital Projects Funding Update, and *SafeSpeed* Collections. Discussion followed.

### **Committee Reports**

#### **Audit Committee Report**

Ms. Feldman presented the Audit Committee report on behalf of absent Committee Chair Timothy Trifilo. Ms. Feldman reported on the Village's annual Audit of Financial Statements prepared by *Lindsey & Associates*, which was distributed to the Board prior to the meeting. Ms. Feldman explained that the Village had received a clean audit report for the fiscal year that ended June 30, 2010. Discussion followed.

#### **Local Advisory Panel to the Historic Preservation Commission**

The Local Advisory Panel's report was distributed to the Board prior to the meeting. Thomas Bourke, Chair of the Local Advisory Panel reported on it's duties and functions and how they serve the community.

Ms. Baptiste asked Mr. Bourke if the LAP can compile a running list of things that they may want to bring to the Historic Preservation Commission for review. Mr. Bourke responded "yes". Discussion followed.

### **Parks Committee**

Judy Elliott, Parks Committee acting Co-Chair asked that the Board approve the offer of tree plantings that Megan Rupp and Dane Butswinkas of 7 West Kirke Street would like to donate to the Village. She also stated that the donated trees are worth approximately of \$10,000.

Ms. Baptiste stated that the area in question is actually not a park but a public right-of-way. She wanted to know if “donated” plantings were placed in the right-of-way, would the Village take responsibility for them also.

Ms. Davis-Cook stated that the trees in question are part of the plantings plan that was developed for the Village by the Parks Committee in conjunction with EDAW, Inc.

Ms. Rupp stated that unfortunately the offer only stands for the month of October.

**The Board chose not to accept the donation.**

#### **Decision on Previous Appeals**

None.

#### **Appeals**

**A-5809 (a) & (b): Mr. and Mrs. John J. Gorman, 45 West Lenox Street**

**Construction of in-ground pool and pool deck located in the rear yard of the property.**

Mr. Gorman presented the request. Discussion followed.

**After comments from the Board, the applicants withdrew the request and will file a revised request to be heard in November.**

#### **Old Business**

##### **adhoc Permit Parking Committee Final Report**

Mr. Kilborn presented the final adhoc Permit Parking Committee report. He stated that there was a unanimous view from the adhoc Permit Parking Committee that the restricted parking on Montgomery Street should be revoked and that the parking restrictions on Center Street and Kirkside Drive should not be granted.

**The Board decided that a standing traffic committee would be formed by Village residents to review all things related to traffic including but not limited to speeding, parking, and signage.**

#### **New Business**

**Modification to Current Restrictions along both sides of the southwest portion of the 5500 block of Montgomery Street.**

Thomas Silber of 5505 Montgomery Street stated that he was opposed to the revocation of the parking restrictions on Montgomery Street due to safety and traffic concerns.

Betty Tubbs of 5509 Montgomery Street stated her opposition to the revocation of the parking restrictions on Montgomery Street due to safety concerns.

Peter Clark of 5503 Montgomery Street stated that he was opposed to the revocation of the parking restrictions on Montgomery Street due to traffic concerns.

Jason Hoffman of 5510 Montgomery Street stated that he was opposed to the revocation of the parking restrictions on Montgomery Street due to safety and traffic concerns.

Tricia Hartsy 5508 Montgomery Street stated that she supported the revocation of the parking restrictions on Montgomery Street.

Jelena Pantelic of 5506 Montgomery Street stated that she opposed to the revocation of the parking restrictions on Montgomery Street.

Susan Martin of 5511 Montgomery Street stated that she supported the revocation of the parking restrictions on Montgomery Street. Discussion followed.

**The Board unanimously decided to defer the decision until the Traffic Committee can report on their findings.**

Mr. Kilborn stepped out and was absent for the remainder of the meeting.

**Modification to current restrictions along the northeast side of the 5500 block of Kirkside Drive between Western Avenue and Grove Street.**

Jay Treadwell of 5420 Grove Street requested that the Traffic Committee pay close attention to the time of day that the employees of Chevy Chase Center choose to park on Kirkside Drive.

Rosita Silber of 5505 Montgomery Street stated that she supported the request for parking restrictions on the 5500 block of Kirkside Drive between Western Avenue and Grove Street.

David Evans of 3 Magnolia Parkway suggested that the Village close the walkway entrance from the Village streets to the Chevy Chase Center. Discussion followed.

**The Board unanimously decided to defer the decision until the Traffic Committee can report on their findings.**

**Introduction and Possible Adoption of Resolution No. 10-01-10:** Amendment to Chapter 13 (Motor Vehicles and Traffic) of the Village Code to delete provisions which are redundant, unnecessary or pre-empted by State law and to amend Section 6-5 of the Village Code to reflect the new Section numbers and letters and fines which will result from the amendments to Chapter 13.

Ms. Baptiste and Mr. Yeo stated that more notice to residents is appropriate before any amendments be made to Chapter 13. Discussion followed.

**The Board unanimously decided to postpone consideration of Resolution No. 10-01-10 until the November Board Meeting.**

**Election Committee Proposal**

Dr. Heilman proposed the formation of an Election Committee to aid in the democratic process for future Chevy Chase Village elections. Discussion followed.

**Dr. Heilman made a motion to approve the formation of a standing Election Committee. Mr. Yeo seconded the motion. Mr. Winstead, Mr. Yeo, Ms. Feldman, Ms. Shuren, Dr. Heilman, and Ms. Baptiste voted in favor of the motion. Mr. Kilborn was not present and did not vote. The motion passed.**

**Chairman's Report**

The Chairman's Report was circulated to the Board prior to the meeting. Mr. Winstead reported that the Brookville Road Sidwalk Project Groundbreaking was a success.

**Manager's Report**

None.

**Police Report**

The Police Report was circulated to the Board prior to the meeting.

**Legal Counsel Report**

The Legal Counsel Report was circulated to the Board prior to the meeting.

**Ms. Shuren made a motion to adjourn the meeting. Ms. Feldman seconded the motion. Mr. Winstead, Mr. Yeo, Ms. Feldman, Dr. Heilman and Ms. Baptiste voted in favor of the motion. Mr. Kilborn was not present and did not vote. The motion passed. The meeting adjourned at 11:32 p.m.**

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Secretary, Chevy Chase Village Board of Managers

*Final.*