

Chevy Chase Village Board of Managers' Meeting

February 11, 2019

Note: These minutes reflect the Board's actions only, and do not include remarks made by members of the Board of Managers, Legal Counsel, Village Staff or others in attendance.

BOARD OF MANAGERS

Elissa A. Leonard, Chair	Present
Robert C. Goodwin, Jr., Vice Chair	Present
David L. Winstead, Secretary	Present
Richard M. Ruda, Assistant Secretary	Present
Gary Crockett, Treasurer	Present
Minh Le, Assistant Treasurer	Absent
Nancy E. Watters, Member	Present

STAFF

Shana R. Davis-Cook, Village Manager	Present
John M. Fitzgerald, Police Chief	Present
Ellen Sands, Municipal Operations Coordinator	Present
Demetri Protos, Finance Director	Present
Simone Kolnik, Administrative & Constituent Services Assistant	Present

COUNSEL

Suellen M. Ferguson, Village Counsel	Present
--------------------------------------	---------

Elissa A. Leonard, Chair of the Board of Managers, called the meeting to order at 7:30 p.m. Ms. Le was absent.

Approval of Minutes from the Board's Previous Meetings held on January 14, 2019

Minutes of the Board's regular meeting held on January 14, 2019 were circulated to the Board prior to the meeting.

Mr. Crockett moved to approve the minutes of the Board of Managers' regular meeting held on January 14, 2019, as drafted. Ms. Leonard seconded the motion. Mr. Crockett, Ms. Watters, Ms. Leonard, Mr. Goodwin, Mr. Ruda and Mr. Winstead voted in favor of the motion. The motion passed.

Special Permit & Variance Requests

A-7459 (a) & (b) Variance: Ms. Betty O'Connor, 137 Grafton Street

To construct:

- a) a front portico, which would encroach a maximum of six (6) feet forward of the twenty-five (25) foot front building restriction line; and
- b) steps, which would encroach a maximum of nine (9) feet forward of the twenty-five (25) foot front building restriction line (BRL).

Ms. Watters moved to approve the Variance Request in A-7459(a) and (b) on the basis that the evidence presented, including the Staff Report and Case Synopsis, demonstrates that the applicable requirements for approval of the Variance have been met. Staff is directed to draft a decision based on this evidence, including findings of fact and conclusions, approving the Variance Request. Mr. Crockett seconded the motion. Mr. Crockett, Ms. Watters, Ms. Leonard, Mr. Goodwin, Mr. Ruda and Mr. Winstead voted in favor of the motion. The motion passed.

A-7460 (a) Variance & (b) Special Permit: Ms. Ashley Gerstenfeld Wiltshire, Trustee of the Gerstenfeld/Wiltshire Revocable Trust, 26 Oxford Street

- a) Construct a new circular driveway on the Broad Branch Road (east) side of the property, featuring a second curb cut; and
- b) Construct a new circular driveway that exceeds the authorized fifteen (15) foot width by a maximum of three (3) feet (on private property).

A-7461 Variance: Ms. Ashley Gerstenfeld Wiltshire, Trustee of the Gerstenfeld/Wiltshire Revocable Trust, 26 Oxford Street

Construct a swimming pool which would be located thirty-two feet, two inches (32'-2") forward of the required fifteen (15) foot setback from the front (Broad Branch Road) main building line.

Mr. Crockett moved to approve the Variance Request in A-7460 (a) and 7461 and the Special Permit Request A-7460 (b) on the basis that the evidence presented, including the Staff Reports and Case Synopses, demonstrates that the applicable requirements for approval of the Variances and Special Permit have been met. Staff is directed to draft decisions based on this evidence, including findings of fact and conclusions, approving the Variance and Special Permit Requests. Mr. Goodwin seconded the motion. Mr. Crockett, Ms. Watters, Ms. Leonard, Mr. Goodwin, Mr. Ruda and Mr. Winstead voted in favor of the motion. The motion passed.

Treasurer's Report

The Treasurer's Report was distributed to the Board and posted to the Village website prior to the meeting. *No formal action was taken by the Board.*

Matters Presented for Board Consideration and Possible Action

Briefing: Capital Improvement Project – Stormwater Management

- Update from staff and the Village's contracted civil engineer regarding the capital project and a proposed amendment impacting properties bordered by Magnolia and Cedar Parkways and West Irving and Hesketh Streets

Mr. Winstead moved to prioritize under the Village's Municipal Storm Drain Capital Project identifying a solution to address stormwater runoff concerns along the block bordered by Magnolia Parkway, Cedar Parkway, West Irving Street and Hesketh Street. Mr. Crockett seconded the motion. Mr. Crockett, Ms. Watters, Ms. Leonard, Mr. Goodwin, Mr. Ruda and Mr. Winstead voted in favor of the motion. The motion passed. While this area has been prioritized, the Board also directed staff to maintain work to identify other areas that can be addressed under its Municipal Storm Drain Project.

Board Treasurer's Report on Village Investments

- Board Action to ratify the Village's investment of reserves above the Investment Policy dollar limit into the Maryland Local Government Investment Pool.

Mr. Ruda moved to ratify the Village's investment of reserves above the Investment Policy dollar limit into the Maryland Local Government Investment Pool. Mr. Winstead seconded the motion. Mr. Crockett, Ms. Watters, Mr. Goodwin, Mr. Ruda and Mr. Winstead voted in favor of the motion. Ms. Leonard abstained. The motion passed.

- Board action to waive the per-institution dollar limits in the Village Investment Policy pending formal adoption of an amended policy

Ms. Watters moved to waive the per-institution dollar limits in the Village's Investment Policy pending formal adoption of an amended policy (tentatively scheduled for March 2019 Board action), provided no more than 50% of the Village's portfolio will be invested with a single institution, with the exception of the Maryland Local Government Investment Pool. Mr. Goodwin seconded the motion. Mr. Crockett, Ms. Watters, Mr. Goodwin, Mr. Ruda and Mr. Winstead voted in favor of the motion. Ms. Leonard abstained. The motion passed.

- **Resolution No. 02-01-19:** A Resolution to authorize the Village Treasurer to open brokerage accounts as permitted by the Village Investment Policy and to delegate to the Village Finance Director and Village Manager certain authority.

Mr. Winstead moved to approve Resolution No. 02-01-19, as drafted. Mr. Goodwin seconded the motion. Mr. Crockett, Ms. Watters, Mr. Goodwin, Mr. Ruda and Mr. Winstead voted in favor of the motion. Ms. Leonard abstained. The motion passed.

Resolution No. 02-02-19: An Ordinance to adopt traffic controls as authorized by Chapter 13 "Traffic Control Generally", Sec. 13-3. "Restriction of Traffic and Parking", namely installation of a "STOP" sign on westbound Newlands Street at its intersection with the Newlands Street semi-circle.

Mr. Goodwin moved to approve Resolution No. 02-02-19, as drafted. Mr. Winstead seconded the motion. Mr. Crockett, Ms. Watters, Ms. Leonard, Mr. Goodwin, Mr. Ruda and Mr. Winstead voted in favor of the motion. The motion passed.

Agreement Authorization Request

- Mutual Aid and Reciprocal Enforcement Agreement (to authorize Village police enforcement of Maryland-National Capital Park & Planning Commission regulations in Western Grove Park)

Mr. Crockett moved to approve the Mutual Aid and Reciprocal Enforcement Agreement with the Maryland-National Park and Planning Commission, conditioned on negotiation of final terms by the Village Attorney, for administration of law enforcement, including the enforcement of the Commission's Park Rules, within Western Grove Park. Mr. Winstead seconded the motion. Mr.

Crockett, Ms. Watters, Ms. Leonard, Mr. Goodwin, Mr. Ruda and Mr. Winstead voted in favor of the motion. The motion passed.

Contract Authorization Requests

- Second of two one-year contract extensions for Newsletter Printing: *American Reprographics, Inc.*
- First of two one-year contract extensions for Street Paving: *A.B. Veirs & Sons, Inc.*

Ms. Watters moved to authorize the second of two one-year extensions for Newsletter Printing with American Reprographics, Inc. and to authorize the first of two one-year extensions for street paving with A.B. Veirs & Sons, Inc. Mr. Ruda seconded the motion. Mr. Crockett, Ms. Watters, Ms. Leonard, Mr. Goodwin, Mr. Ruda and Mr. Winstead voted in favor of the motion. The motion passed.

Commission & Committee Matters

Board Reappointment of Frank (Scot) McCulloch (Kirkside Drive) as a member, term exp. 2/2022 and as Chair, term exp. 2/2020

Mr. Crockett moved to reappoint Frank (Scot) McCulloch (Kirkside Drive) as a member, term exp. 2/2022 and as Chair, term exp. 2/2020. Mr. Goodwin seconded the motion. Mr. Crockett, Ms. Watters, Ms. Leonard, Mr. Goodwin, Mr. Ruda and Mr. Winstead voted in favor of the motion. The motion passed.

Police Report

The Police Report was distributed to the Board and posted on the Village website prior to the meeting. Discussion followed. *No formal action was taken by the Board.*

Manager's Report

The Manager's Report was circulated to the Board prior to the meeting. *No formal action was taken by the Board.*

Adjournment

Mr. Crockett moved to adjourn the meeting. Mr. Goodwin seconded the motion. Mr. Crockett, Ms. Watters, Ms. Leonard, Mr. Goodwin, Mr. Ruda and Mr. Winstead voted in favor of the motion. The motion passed. The meeting adjourned at 9:09 p.m.

Attested by: Shana Davis-Cook, Village Manager

Final.