

# **Chevy Chase Village Board of Managers' Meeting**

## **June 13, 2016**

*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**

Michael L. Denger, Chair	Present
Elissa A. Leonard, Vice Chair	Present
David L. Winstead, Secretary	Present
Minh Le, Assistant Secretary	Present
Gary Crockett, Treasurer	Present
Robert C. Goodwin, Jr., Assistant Treasurer	Present
Richard M. Ruda, Board Member	Present

### **STAFF**

Shana R. Davis-Cook, Village Manager	Present
John Fitzgerald, Police Chief	Present
Michael Younes, Director of Municipal Operations	Present
Demetri Protos, Finance Director	Present
Ellen Sands, Permitting & Code Enforcement Coordinator	Present
Melissa Wiak, Community Liaison/Administrative Assistant	Present

### **COUNSEL**

Suellen M. Ferguson, Village Counsel	Present
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Mr. Denger, Chair of the Board of Managers, called the meeting to order at 7:36 p.m.

Mr. Denger stated that the Village Board had met in closed session prior to the regular meeting pursuant to Section 3-305(b) (1) of the General Provisions Article, Annotated Code of Maryland, to discuss personnel matters that affect specific individuals and pursuant to Section 3-305(b) (7) to consult with Counsel to obtain legal advice on legal matters. Mr. Denger, Ms. Leonard, Mr. Crockett, Mr. Goodwin, Mr. Ruda, Mr. Winstead and Ms. Le were in attendance along with Ms. Davis-Cook and Ms. Ferguson. Ms. Charlotte Jones Carroll, Chair of the Election Supervisors, was also in attendance for a portion of the closed meeting. Mr. Denger stated that during the closed session, the Board voted unanimously to award monetary bonuses to two specific personnel for outstanding performance.

### **Oath of Office Ceremony**

Ms. Karen A. Bushell, Chief Deputy Clerk of the Circuit Court for Montgomery County, administered the Oath of Office to Mr. Michael Denger, Ms. Elissa Leonard, and Mr. Robert Goodwin, Jr.

### **Election of Officers**

*Mr. Crockett moved to elect Michael L. Denger as Chair of the Board of Managers. Mr. Goodwin seconded the motion. Mr. Denger, Ms. Leonard, Mr. Winstead, Ms. Le, Mr. Crockett, Mr. Goodwin and Mr. Ruda voted in favor of the motion. The motion passed.*

*Mr. Denger moved to elect Elissa A. Leonard as Vice Chair of the Board of Managers. Mr. Crockett seconded the motion. Mr. Denger, Ms. Leonard, Mr. Winstead, Ms. Le, Mr. Crockett, Mr. Goodwin and Mr. Ruda voted in favor of the motion. The motion passed.*

*Mr. Ruda moved to elect David L. Winstead as Secretary of the Board of Managers. Ms. Le seconded the motion. Mr. Denger, Ms. Leonard, Mr. Winstead, Ms. Le, Mr. Crockett, Mr. Goodwin and Mr. Ruda voted in favor of the motion. The motion passed.*

*Mr. Denger moved to elect Gary Crockett as Treasurer of the Board of Managers. Ms. Leonard seconded the motion. Mr. Denger, Ms. Leonard, Mr. Winstead, Ms. Le, Mr. Crockett, Mr. Goodwin and Mr. Ruda voted in favor of the motion. The motion passed.*

*Mr. Crockett moved to elect Robert C. Goodwin, Jr. as Assistant Treasurer of the Board of Managers. Mr. Denger seconded the motion. Mr. Denger, Ms. Leonard, Mr. Winstead, Ms. Le, Mr. Crockett, Mr. Goodwin and Mr. Ruda voted in favor of the motion. The motion passed*

*Mr. Denger moved to elect Minh Le as Assistant Secretary of the Board of Managers. Mr. Crockett seconded the motion. Mr. Denger, Ms. Leonard, Mr. Winstead, Ms. Le, Mr. Crockett, Mr. Goodwin and Mr. Ruda voted in favor of the motion. The motion passed.*

#### **Board Appointment of a Member to Serve as Building Officer**

*Mr. Denger moved to appoint Gary Crockett as Building Officer. Ms. Le seconded the motion. Mr. Denger, Ms. Leonard, Mr. Winstead, Ms. Le, Mr. Crockett, Mr. Goodwin and Mr. Ruda voted in favor of the motion. The motion passed.*

#### **Approval of Minutes from the Board's Executive Session Meeting held on May 9, 2016**

Minutes of the Board's executive session meeting held on May 9, 2016 were circulated to the Board prior to the meeting.

*Mr. Crockett moved to approve the minutes of the Board of Managers' executive session held on May 9, 2016, as drafted. Mr. Winstead seconded the motion. Mr. Denger, Ms. Leonard, Mr. Winstead, Ms. Le, Mr. Crockett, Mr. Goodwin and Mr. Ruda voted in favor of the motion. The motion passed.*

#### **Approval of Minutes from the Board's Regular Meeting held on May 9, 2016**

Minutes of the Board's regular meeting held on May 9, 2016 were circulated to the Board prior to the meeting.

*Ms. Leonard moved to approve the minutes of the Board of Managers' regular monthly meeting held on May 9, 2016, as drafted. Ms. Le seconded the motion. Mr. Denger, Ms. Leonard, Mr. Winstead, Ms. Le, Mr. Crockett, Mr. Goodwin and Mr. Ruda voted in favor of the motion. The motion passed.*

#### **Consent Agenda—Tree Removal Consent Agreements:**

- **A-2237: Ms. Anna Cristina Niceta & Mr. Richard Llyod, 15 East Lenox Street**

Removal of one 19-inch diameter Hickory tree located in the front (Brookville Road) yard of the property.

*There were no requests from Board Members to remove Case A-2237 from the Consent Agenda. The Consent Agreement was deemed approved.*

- **A-2238: Ms. Aimee & Mr. William Burck, 104 East Melrose Street**

Removal of one 11-inch diameter and one 14-inch diameter Walnut trees located in the rear yard of the property.

*There were no requests from Board Members to remove Case A-2238 from the Consent Agenda. The Consent Agreement was deemed approved.*

### **Variance Requests**

- **A-6951: Mr. Scott M. Levine & Ms. Melissa R. Blume, 5613 Montgomery Street**  
Construct:

- a) An expanded portico, which would encroach a maximum of one foot, eight and one-half inches (1'-8 ½") forward of the twenty-five (25) foot front (Montgomery Street) building restriction line (BRL). The proposed portico would be three feet, six inches (3'6") wider than the existing portico; and
- b) an expanded front stoop and steps, which would encroach a maximum of three (30) feet forward of the twenty-five (25) foot front (Montgomery Street) building restriction line. The proposed stoop would be two feet, one inch (2'1") wider than the existing stoop and the proposed steps would be eleven (11) inches wider than the existing front steps, which presently encroach a maximum of one foot, three inches (1'-3") forward of the twenty-five foot front BRL.

*Mr. Crockett moved to approve the Variance request in Case A-6951 (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. Ms. Leonard seconded the motion. Mr. Denger, Ms. Leonard, Mr. Winstead, Ms. Le, Mr. Crockett, Mr. Goodwin and Mr. Ruda voted in favor of the motion. The motion passed.*

- **A-6944: Ms. Heather Salko Selingo & Mr. Jeffrey Selingo, 205 Primrose Street**

Maintain an outdoor gas fireplace that was constructed in the east (rear) yard and that encroaches one foot, two inches (1'-2") into the rear yard setback.

*Mr. Goodwin moved to approve the Variance request in Case A-6944 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. Denger, Ms. Leonard, Mr. Winstead, Ms. Le, Mr. Crockett, Mr. Goodwin and Mr. Ruda 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 Discussion and Possible Action (where required)**

#### **Board Discussion RE: Transient Lodging Facility Regulations (Air B&Bs)**

A staff report from Ms. Davis-Cook, along with copies of Chapter 54 of the Montgomery County Code, entitled "Transient Lodging Facilities", materials pertaining to Montgomery County Bill 2-16/Zoning Text Amendment No. 16-03 and related staff reports regarding Air B&Bs were distributed to the Board and posted to the Village website prior to the meeting. In light of recent report of two transient lodging facilities in operation within the Village, Ms. Davis-Cook provided an overview regarding current and pending County legislation regarding this type of use, which is currently not regulated in the Village. Discussion followed.

The Board directed staff to continue to monitor and report back to the Board regarding any issues that may arise pertaining to the operation of transient lodging facilities in the Village along with any developments in Montgomery County's efforts to modify its regulations regarding transient lodging facilities.

#### **Presented for Board Consideration and Possible Adoption/Approval:**

- **Resolution No. 06-01-16:** An ordinance to grant a non-exclusive cable franchise upon certain conditions and authorizing a franchise agreement between Chevy Chase Village and Comcast of Potomac, LLC.

*Mr. Crockett moved to approve Resolution 06-01-16, as drafted. Ms. Le seconded the motion. Mr. Denger, Ms. Leonard, Mr. Winstead, Ms. Le, Mr. Crockett, Mr. Goodwin and Mr. Ruda voted in favor of the motion. The motion passed.*

- **Board Authorization for the Village Manager to Designate a Representative to Serve on the Montgomery Municipal Cable Board of Directors**

*Ms. Le moved to authorize the Village Manager to designate a member of the Village staff to serve on the Montgomery Municipal Cable's Board of Directors. Mr. Crockett seconded the motion. Mr. Denger, Ms. Leonard, Mr. Winstead, Ms. Le, Mr. Crockett, Mr. Goodwin and Mr. Ruda voted in favor of the motion. The motion passed.*

- **Improvements to signage at two intersections: Grafton Street/Kirkside Drive and Oliver Street/Kirkside Drive**

Mr. Crockett moved to authorize the Village Manager to direct staff to remove both “Do Not Enter” signs on westbound Grafton Street at its intersection with Kirkside Drive, and to erect a pair of signs on each of the two existing sign posts at this intersection, which state: “Local Traffic Only” and “No Exit to Wisconsin Avenue”. He further moved to authorize the Village Manager to direct staff to remove the “No Exit to Wisconsin Avenue” sign located on westbound Oliver Street at its intersection with Kirkside Drive. Mr. Denger seconded the motion. Mr. Denger, Ms. Leonard, Mr. Winstead, Ms. Le, Mr. Crockett, Mr. Goodwin and Mr. Ruda voted in favor of the motion. The motion passed.

### **Contract Authorization Requests**

- Staff Benefits Insurance Contracts for Dental and Disability

Mr. Goodwin moved to authorize the Village Manager to enter into contracts with the following providers for the following plans:

- Dental coverage with Met Life (Coverage Period July 1, 2016 through June 30, 2017)
- Disability coverage with the Reliance Standard Life Insurance Company (Coverage Period July 1, 2016 through June 30, 2017)

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

- Professional Services Contract for Consulting Landscape Architect: *Lila Fendrick Landscape Architecture & Garden Design*

Ms. Leonard moved to authorize the Village Manager to enter into a contract, in substantially the form provided, with *Lila Fendrick Landscape Architecture and Garden Design* for the performance of landscape architecture and design services within Chevy Chase Village. Mr. Crockett seconded the motion. Mr. Denger, Ms. Leonard, Mr. Winstead, Ms. Le, Mr. Crockett, Mr. Goodwin and Mr. Ruda voted in favor of the motion. The motion passed.

### **Appointment of an Acting Chair to Preside at the Board of Managers’ General Meeting Scheduled for Monday, July 11, 2016**

Ms. Le moved to appoint Robert Goodwin Jr. to preside at the July 11, 2016 Board of Managers’ general meeting. Mr. Crockett seconded the motion. Mr. Denger, Ms. Leonard, Mr. Winstead, Ms. Le, Mr. Crockett, Mr. Goodwin and Mr. Ruda voted in favor of the motion. The motion passed.

### **Committee Matters**

#### **Selection of Board Representatives & Liaisons to Village Committees**

The following proposed list of Board representatives/contacts was circulated to the Board and posted to the Village website prior to the meeting:

#### Committees Subject to Board Appointment

Community Relations  
Financial Review  
Public Safety

#### Board Representative

Minh Le  
Gary Crockett  
Richard M. Ruda

Traffic  
Tree

Robert C. Goodwin, Jr.  
Michael L. Denger

Committee NOT Subject to Board Appointment

Environment & Energy  
Parks & Greenspaces  
Seniors Committee

Board Contact

Gary Crockett  
Elissa Leonard  
Minh Le

Mr. Winstead volunteered to serve as the Board Contact for the Seniors Committee.

*Mr. Ruda moved to approve the presented list of Board representatives and contacts to Village committees, as amended. Mr. Crockett second the motion. Mr. Denger, Ms. Leonard, Mr. Crockett, Mr. Goodwin, Mr. Ruda, Mr. Winstead and Ms. Le voted in favor of the motion. The motion passed.*

**Police Report**

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

**Chairman's Report**

- Update on Chevy Chase Proposed Redevelopment and Other Matters

Mr. Denger provided an update regarding the Chevy Chase Center redevelopment project and the fundraising efforts by the Friends of Western Grove Park regarding the construction of Western Grove Park. Accordingly, Mr. Denger directed staff to include an article in the July *Crier* to inform residents of the fundraising efforts for the construction of the park. Mr. Denger provided an update regarding the Village's potential withdrawal from the Maryland Municipal League (MML) and the Local Government Insurance Trust (LGIT). *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. Winstead seconded the motion. Mr. Denger, Ms. Leonard, Mr. Winstead, Ms. Le, Mr. Crockett, Mr. Goodwin and Mr. Ruda voted in favor of the motion. The motion passed. The meeting adjourned at 8:52 p.m.*

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Attested by: Shana Davis-Cook, Village Manager

*Final.*