

Chevy Chase Village Board of Managers' Meeting

May 8, 2017

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	Absent
Richard M. Ruda, Board Member	Present

STAFF

Shana R. Davis-Cook, Village Manager	Present
John M. Fitzgerald, Police Chief	Present
Demetri Protos, Finance Director	Present
Ellen Sands, Permitting and Code Enforcement Coordinator	Present
Tamu Tucker, 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 7:30 p.m. Mr. Goodwin was absent.

Approval of Minutes from the Board's Regular Monthly Meeting: April 10, 2017

Minutes of the Board's regular meeting held on April 10, 2017 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 April 10, 2017, as drafted. Ms. Le seconded the motion. Mr. Denger, Ms. Leonard, Mr. Winstead, Mr. Crockett, Ms. Le, and Mr. Ruda voted in favor of the motion. The motion passed.

Variance Request

A-7137: Ms. Nancy M. Cicero & Mr. Louis John Moresberger

5610 Cedar Parkway

Maintain an air conditioner which was installed and encroaches a maximum of two (2) feet into the required seven (7) foot side (north) yard setback.

Mr. Crockett moved to approve the variance application in Case A-7137 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 application and allowing the unit to remain in its current location. Mr. Winstead seconded the motion. Mr. Denger, Ms. Leonard, Ms. Le, Mr. Crockett, Mr. Winstead, 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. Discussion followed. *No formal action was taken by the Board.*

Public Hearings:

- **Proposed Concept Plan for the Brookville Road Park**

No comments were made from the floor.

Mr. Denger advised that, pursuant to the public comments received to-date, it was clear the following modifications to the concept plan and proposed policy would be made:

1. Move the proposed westernmost perimeter fence line closer to Brookville Road just inside the stand of Willow Oaks located along Brookville Road. This will still provide space for a couple park benches outside the proposed dog exercise area.
2. Rather than aluminum, the Board directed staff to explore wood fence options, similar to the fence style that currently runs along the Brookville Road sidewalk.
3. Staff was directed to explore different ground surface options to ensure the proposed material is dog-friendly and safe.
4. Although a residency requirement will not be imposed at the outset, staff will monitor the park's use for the first 9 months to a year to determine whether a residency requirement or any other additional restrictions are necessary. User and neighbor feedback will also be solicited during this initial trial period.
5. The Village will require dogs accessing the park to be licensed and current on their rabies vaccination.

No formal action was taken by the Board.

- **Proposed Amendments to the Village's Speed Hump Policy**

Mr. Denger advised that this was the second of two Public Hearing scheduled on this matter, the first of which was held during the Board's regular meeting on Monday, April 10, 2017. Changes proposed for the Speed Hump Policy were submitted by Gary Crockett of Grafton Street and were circulated to the Board and posted on the Village website prior to the meeting.

The following residents testified in regard to this matter: Geraldine Carr (3 Grafton Street), David Allen (120 Grafton Street), Jeffrey Frey (5511 Center Street), Betsy Williams (19 West Kirke Street), Ellen Lukens (141 Grafton Street), William Van Horne (5612 Grove Street) Jane Maruszewski (127 Grafton Street), Caroline Cooper (139 Grafton Street), Marla Crockett (142 Grafton Street), and Clark Downs (122 Grafton Street).

Matters Presented for Board Consideration

Amendments to the Village's Speed Hump Policy

Mr. Crockett moved to amend the Speed Hump Policy to remove the requirement for those voting in support of a speed hump to indicate that they will attend a safety class provided by the Village Police Department. Mr. Denger seconded the motion. Mr. Denger, Ms. Leonard, Ms. Le, Mr. Crockett, Mr. Winstead, and Mr. Ruda voted in favor of the motion. The motion passed.

Mr. Crockett moved to amend the Speed Hump Policy to state that the questionnaire that is sent to residents along the affected block/street segment ask respondents to indicate whether they accept placement of the proposed speed hump/signage in front of their home rather than asking this question only of those who vote in support of the speed hump. Mr. Denger seconded the motion. Mr. Denger, Ms. Leonard, Ms. Le, Mr. Crockett, Mr. Winstead, and Mr. Ruda voted in favor of the motion. The motion passed.

Mr. Crockett moved to amend the Speed Hump Policy to reflect that when calculating the questionnaire responses, abstentions and failures to respond will not be counted as "disapprovals", but are excluded from the calculation altogether. Mr. Denger seconded the motion. Mr. Denger, Ms. Leonard, Ms. Le, Mr. Winstead and Mr. Crockett voted in favor of the motion. Mr. Ruda voted against the motion. The motion passed.

Mr. Crockett moved to amend the Speed Hump Policy to provide that vehicle speeds will no longer be a "gating" criteria which determines whether a request can be further evaluated, however, vehicle speeds will be provided to the Board for its consideration along with other factors related to the speed hump installation request. Mr. Denger seconded the motion. Mr. Denger, Ms. Leonard, Ms. Le, and Mr. Crockett voted in favor of the motion. Mr. Ruda and Mr. Winstead voted against the motion. The motion passed.

Mr. Denger presented a separate motion related to resurveying the residents of a block regarding maintaining the speed hump when the roadway is scheduled for repaving:

Mr. Denger moved to amend the Speed Hump Policy to require affirmative responses from 75% of the non-abstaining respondent householders to retain existing speed humps. Mr. Crockett seconded the motion. Mr. Denger, Ms. Leonard, Ms. Le, Mr. Crockett, Mr. Winstead, and Mr. Ruda voted in favor of the motion. The motion passed.

Resolution No. 04-01-17: An Ordinance to amend Chapter 24, "Procurement And Disposition."

Ms. Le moved to approve Resolution No. 04-01-17, as drafted. Mr. Crockett seconded the motion. Mr. Denger, Ms. Leonard, Ms. Le, Mr. Crockett, Mr. Winstead, and Mr. Ruda voted in favor of the motion. The motion passed.

Purchase Authorization Requests:

- **Replacement Pick-up Truck for use by the Public Works Department**

Mr. Crockett moved to authorize the Village Manager to purchase one (1) new 2018 Chevrolet Silverado 2500HD 4WD Regular Cab Pick-up Truck and associated accessories under Montgomery County contract #1065341, in the amount of \$38,233.71 from Criswell Fleet Sales in the 2018 fiscal year. Ms. Leonard seconded the motion. Mr. Denger, Ms. Leonard, Ms. Le, Mr. Crockett, Mr. Winstead, and Mr. Ruda voted in favor of the motion. The motion passed.

- **Replacement Dump Truck for use by the Public Works Department**

Mr. Crockett moved to authorize the Village Manager to purchase one (1) new 2018 Freightliner M2 106 Conventional Chassis Dump Truck and associated accessories under HGACBuy Contract #HT106-16, in the amount not to exceed \$112,618 in the 2018 fiscal year. Ms. Le seconded the motion. Mr. Denger, Ms. Leonard, Ms. Le, Mr. Crockett, Mr. Winstead, and Mr. Ruda voted in favor of the motion. The motion passed.

Committee Matters

Parks and Greenspaces Committee Appointment

- Board appointment of Susan Dixon (Montgomery Street) as a Co-Chair.

Ms. Leonard moved to appoint Susan Dixon (Montgomery Street) as a Co-Chair of the Parks and Greenspaces Committee. Mr. Ruda seconded the motion. Mr. Denger, Ms. Leonard, Ms. Le, Mr. Crockett, Mr. Winstead, and Mr. Ruda voted in favor of the motion. The motion passed.

Tree Ordinance Board Appointment

- Board appointment of Laura Billings (Kirkside Drive) as a Co-Chair.

Mr. Crockett moved to appoint Laura Billings (Kirkside Drive) as a member of the Tree Ordinance Board to serve a three-year term expiring April 2020 and to designate Ms. Billings to serve as Chair. Mr. Denger seconded the motion. Mr. Denger, Ms. Leonard, Ms. Le, Mr. Crockett, Mr. Winstead, and Mr. Ruda voted in favor of the motion. The motion passed.

- Board appointment of Susan Kirby (East Lenox Street) as a Co-Chair.

Mr. Ruda moved to appoint Susan Kirby (East Lenox Street) as an alternate member of the Tree Ordinance Board for a 2-year term expiring April 2019. Ms. Leonard seconded the motion. Mr. Denger, Ms. Leonard, Ms. Le, Mr. Crockett, Mr. Winstead, and Mr. Ruda 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. Chief Fitzgerald advised the Board regarding his department's response to concerns from residents in the southernmost block of Oliver Street and the 5600 block of Grove Street that the District of Columbia's prohibition on left turns from westbound Western Avenue onto 41st Street during weekday morning rush hours causes heavy cut-through traffic along these blocks of Oliver and Grove Streets as drivers seek to access the traffic light at Cedar Parkway. 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. Ms. Le seconded the motion. Mr. Denger, Ms. Leonard, Ms. Le, Mr. Crockett, Mr. Winstead, and Mr. Ruda voted in favor of the motion. The motion passed. The meeting adjourned at 10:18 p.m.

Attested by: Shana Davis-Cook, Village Manager

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