

**TOWN OF GLEN ECHO**  
**Town Council Meeting**  
**November 13, 2006**

PRESENT:           Debbie Beers, Mayor  
                  Nancy Long, Councilmember  
                  Eve Arber, Councilmember  
                  Dan Macy, Councilmember  
                  Steve Matney, Councilmember  
                  Cathie Polak, Clerk

ATTENDANCE:      Kym Elder, NPS, Glen Echo Park (GEP) Site Manager  
                  Carlotta Anderson, Resident  
                  Raya Bodnarchuk, Resident  
                  Phyllis Fordham, Resident  
                  JoAnne Murray, Resident  
                  Jerry Bodlander, Echo Reporter

Mayor Beers called the meeting to order at 8:05.

**GLEN ECHO PARK REPORT**

Kym Elder reported that construction in the Park is well underway and that she is pleased with the work. Glen Echo Park Partnership for Arts and Culture (GEPPAC) will receive the needed \$2.1 million to renovate the Caretakers Cottage and the Crystal Pool area.

GEP was awarded \$95,000 to rebuild the maintenance structure; the old structure will be demolished in mid-December. Ms. Elder reported that a public meeting is not required because the new maintenance building will have the same function and be located in the same footprint as the existing facility. The plans will be available for review in the Park NPS offices. Councilmember Long said that, since the park is so closed off from the views, she would like to see the new structure offer a river viewing area from the new building's roof. Ms. Elder explained that such a change would alter the purpose of the building; the NPS was given the funds based on the requirements noted.

Councilmember Macy inquired who owns the buildings and does GEPPAC lease the buildings. Ms. Elder explained that there is a cooperative agreement between Montgomery County and NPS governing facilities in the Park. NPS owns the land and buildings, GEPPAC can rent the facilities. The maintenance structure and the carrousel do not fall under the agreement. Mayor Beers noted that GEPPAC operates the carrousel.

Councilmember Long would like to pursue the public meeting issue since federal tax dollars will be used in the replacement of the maintenance facility. She inquired about previous use of the building. Kym Elder said that the shed was used for maintenance in

the amusement park era. Councilmember Long said it is important to know how this building will look, i.e., its architecture. Ms. Elder offered to report back with more information on a possible public meeting noting that the NPS is not required by law to hold a public meeting because of the construction criteria.

Mayor Beers inquired if the NPS thought the Oxford Road solicitor's report would be complete by the end of the year. Ms. Elder said she was hopeful, noting that preliminary research is showing that Oxford Road belongs to the Town. Mayor Beers expressed thanks to Councilmember Long for her dedication to solving the issue of Oxford Road ownership.

Mayor Beers thanked the Park for dismissing the parking tickets issued to residents living on Oberlin Avenue. Ms. Elder explained that Lt. Jacobson has been too short-staffed to come to a Council meeting; there are only 12 Park Police officers covering the entire Parkway, Maryland and Virginia.

Councilmember Long asked if a decision has been made to allow Discovery Creek to use the Crystal Pool area. Ms. Elder noted that the Discovery Creek expansion was approved in concept by GEPPAC; the NPS is waiting for Discovery Creek to request permission to move forward with the project.

Councilmember Long mentioned concern over possible development on the east side of MacArthur Boulevard; a new fence and construction equipment have been observed across from the south GEP Arcade building. Councilmember Long has called Park & Planning to inquire if any requests for a zoning change or building permits have been issued. This could be a critical development, impacting the Park and the Town. Kym Elder said she recently met with the Tulip Hill Citizens Association; their concerns at that time were the neon lights. There was no mention of potential development during her meeting. Ms. Long noted that in 1965 there was a request for rezoning from R-60 to R-T (townhouse development) for the piece of land from the end of the new fence to Goldsboro Road. The rezoning was denied Ms. Elder stated that the NPS is concerned, as is GEPPAC, about any development along MacArthur Boulevard across from the Park.

Mayor Beers asked if the NPS has acquired the right-of-way between Oxford Road and the Irish Inn. According to Ms. Elder, the purchase is moving forward. Ms. Elder asked who is responsible for the bike path; it is Montgomery County's responsibility. Erosion is continuing in a section near the Minnie HaHa Creek where a cave in has occurred; NPS is receiving complaints because people believe the path is its responsibility. The County has not been responsive to her request for repairs.

#### **APPROVAL OF MINUTES**

**Motion 2006-27** to approve as amended the minutes of the October 9, 2006, Town Council Meeting:

- add Councilmember Eve Arber as present;
- on page 2, Ordinance #06-02, paragraph 3, "it is an over-seesight layer;"

- on page 5, Town Hall Use Report, remove “but has never attended the dances” from the last sentence;
- on page 6, Additions to Agenda, 2. Projector, “Councilmember ~~Macy~~ Matney was directed to make the purchase.”

The motion passed as amended.

Councilmember Long asked that the Council resume the recording of Council meetings. Resident Carlotta Anderson asked why meetings have not been recorded; C/T Polak noted that she had occasionally neglected to record a Council meeting. C/T Polak agreed to make it a priority in the future. Mayor Beers stressed that the minutes are taped for town records; residents should not assume that all meetings will be taped. Mayor Beers expressed concern that people will expect meetings to be taped as a public record and that the town could somehow be held responsible if a meeting is not taped and someone needed that tape for a lawsuit.

### **BELL BUILDERS**

Residents have expressed great concern about a drain project and changes to the street around 6109 Princeton Avenue, a property owned and renovated by Bell Builders. Bell Builders installed a drain pipeline and asphalt curb at the right of way. The gravel area in the right-of-way is now more than twice as large as it was before Bell Builders installed a drain around the edge of the Princeton Avenue property and it now appears to be an additional driveway for that property; there is no clear separation between the right-of-way and 6109 Princeton Avenue. Mayor Beers reported that she has asked town attorney, Norman Knopf, to contact Mr. Bell about this altering of the town’s right-of-way and Princeton Avenue. She reported that Mr. Knopf was “not enthusiastic” about citing Mr. Bell.

Resident Phyllis Fordham noted that she spoke with the Bell Builder’s job forman working on the drain and right of way next to 6109 Princeton Avenue. The forman was not responsive to her and said he would talk with Frank Bell about the job. C/T Polak had a similar response when approaching Bell Builder’s contractor. Ms. Fordham said that this gets back to the issue of who is responsible for enforcing town ordinances. Council asked Mayor Beers to contact Norman Knopf to pursue legal action against Bell Builders.

### **HVAC REPORT**

Councilmember Macy first reported that he met with Constellation, a Baltimore company providing geothermal heating. Research showed that geothermal heating is best installed with new construction, and is not feasible for the town hall. Councilmember Macy then reported that he has contacted companies from CheckBooks Magazine to request additional bids for the town hall HVAC. Condon Reed has submitted a bid similar to Maske; Councilmember Macy said he is waiting for additional bids. Mayor Beers and C/T Polak explained to Councilmember Macy that he is repeating the same process done about a year ago by resident volunteer Gloria Levin and C/T Polak when seeking the initial HVAC bids. Discussion followed about repeating the bidding process. Resident JoAnne Murray suggested hiring an engineer to prepare a bid specification; bid selection

would be easier if they were uniform. Mayor Beers noted that efforts were made to hire engineers earlier in this HVAC process without results. JoAnne Murray and Phyllis Fordham offered to provide a list of potential engineers, noting that a written proposal from the Town would be required. Mayor Beers will draft the request to send to the contacts provided.

#### **STREET REPAIR PROJECT REPORT**

Councilmember Matney mentioned that he has been “playing telephone tag” with A. Morton Thomas, noting that the Town’s previous history with A. Morton Thomas is a benefit. They may be able to work from previous information, which will save time and cost. Councilmember Matney asked if he had approval to hire a company to do the engineering study. Further discussion clarified that an estimated proposal needs to be provided before selecting an engineering company.

#### **STORM WATER MANAGEMENT MEETING REPORT**

Mayor Beers mentioned that Howard Denis lost the recent County Council election; Roger Berliner won the Council seat held by Denis. The Town will need to make new contacts within Berliner’s staff to discuss the storm water management problems plaguing Glen Echo. Mayor Beers will write a letter of congratulations to Berliner. Phyllis Fordham suggested that Council invite Berliner to meet and discuss concerns.

#### **ORDINANCE#06-02**

Mayor Beers noted that the building permit ordinance passed at the October 2006 Council meeting was effective on November 1, 2006. C/T Polak noted that the application and permit forms need to be updated. Mayor Beers will circulate a draft application and permit for Council’s comments.

#### **TOWN HALL USE REPORT**

Councilmember Long reviewed the calendar for upcoming events, noting that the film festival will be on November 25; the annual Holiday breakfast will be on December 9, and Phyllis Daen will give a concert on January 21. She also noted that a request to rent the Town Hall on an annual or monthly basis for yoga classes was received. She called and left a message, but no reply has been forthcoming.

#### **SHIRLEY STRONG PARK**

C/T Polak noted that the land given to the Town by Shirley Strong has been transferred. Mark Peyton will clean up the lot, removing the dead trees, the large pine tree (which, it has been reported, Shirley wanted to have removed), and the overgrown ivy. Mr. Peyton will also remove two small Leyland Cypress trees from the southeast corner of the other Town park.

#### **DISPLAY CASE**

Councilmember Arber reported that she has been in contact with Acrylic Works and the original salesman. The display case was not built to specification. The display box will be removed and remade.

### **TOWN HALL DRIVE FENCE**

C/T Polak gave an overview of the estimates to replace the existing white lattice fence along the town hall driveway, approved at the September 2006 Council meeting. Mayor Beers asked for a motion. Discussion followed about the style and material of the fence. Councilmember Long is opposed to matching the town hall fence with private property owners desires to match other fencing in their yard.

**Motion 2006-28** to accept the Mid-Atlantic Deck & Fence Co. bid for \$3795, subject to setting in the posts in concrete. The motion passed with a 3/1 vote with Councilmember Long opposed because she does not believe the new fence design is in keeping with the Town Hall ambience, and objects to spending tax money on a project which, in her opinion, is not in the Town's best interest.

### **ADDITIONS TO AGENDA**

1. Communication. Resident Carlotta Anderson is unhappy about communication from the Town to its residents. She would like to have more information available on the town's web site, specifically the minutes, the agenda and the ordinances. C/T Polak will put up the minutes and agenda, Mayor Beers will prepare the ordinances noting that they will be posted with a disclaimer.

The meeting adjourned at 10:00.