

**Village of Martin's Additions**  
**7013 Brookville Road, Suite B, Chevy Chase, MD 20815**  
**Minutes for Council Meeting on**  
**February 15, 2018**

**Council Members Present:** Richard, Krajeck; Tiffany Cissna; Arthur Alexander; Susan Fattig;  
**Council Members Absent:** Katya Hill; **Village Manager:** Matthew Trollinger; **Assistant Village Manager:** Tina Lurie; **Attorney:** Ron Bolt; **Building Administrator:** Doug Lohmeyer;  
**Residents and other attendees:** Keith Allen (Turner Ln.); Ted Stoddard (Turner Ln.); Marty Langelan (Chestnut St.); Jean Sperling (Shepherd St.); Bill Catherwood (Shepherd St.); Bernice Duvall (Taylor St.); Frank Correl (Turner Ln.); Paula Goldberg (Bradley Ln.); Janine Trudeau (Bradley Ln.); Lynn Welle (Oxford St.); Mike Zielinski (Turner Ln.)

7:30 PM Call to Order: Krajeck

7:30 PM Opportunity for Council to hear residents' comments: Krajeck

Council member Krajeck called on Keith Allen (Turner Ln.) to give the weather report. Mr. Allen reported it would be 80 degrees next week and that we may get a little more snow. He's looking for an early spring.

Frank Correl (Turner Ln.) complimented the Community Engagement Committee for their work on the La Ferme wine tasting event. He said it was a really fine experience and good will was fostered by the event. Mr. Correll asked the Council to compose a letter about the event and about the upcoming election. He shared a photo of the centennial plaque with the Council, and mentioned that it should be replaced with something of a better quality, as the current plaque has weathered. Mr. Correl asked about the process for residents to discuss election items and Charter amendments.

The Council explained that the process would be as follows:

- 1) The Council would discuss the proposals.
- 2) The Council would open the floor for resident comments.
- 3) The Council would close the floor and vote.

Jean Sperling (Shepherd St.) asked about the disposition of election documents and election results. She recommended all records be kept in the office. The Council responded that election records are handled in accordance with its record retention and data security policy.

7:40 PM Action on Meeting Minutes of January 18, 2018: Krajeck

Motion to approve minutes: Council member Alexander motioned to approve, Council member Fattig seconded. All in favor.

7:42 PM Committee Updates

Election Committee Chair Marty Langelan (Chestnut St.) reported that the Election Committee met on February 12 and set the following dates leading up to the election:

- Nominations will open February 24.
- The last date for candidate forms and nominations is April 10.
- Absentee ballots will be made available starting April 19.
- May 3 is the Candidate Forum.
- Election is May 10.

The Election Committee also planned to follow up with the Ethics Committee with regards to the conflict of interest form, and what would happen if someone were to disclose a conflict of interest.

7:45 PM Council member Krajeck thanked the Community Engagement Committee for the La Ferme party.

7:46 PM Building Administrator's Report: Doug Lohmeyer

### **6701 Brookville Rd.**

The applicant has submitted a building permit application to add an addition at the rear of the existing house. The staff has completed a preliminary review of the application and is waiting for the MCDPS building permit approval.

### **7210 Chestnut St.**

The Village has issued a demolition permit for the removal of the ex. house. The demolition has been completed. The applicant is working with the architect to finalize the architectural plans for the new house. Nothing has been submitted to MCDPS or the Village.

### **7219 Chestnut St.**

The homeowner placed stones tiles over the top of the existing concrete lead sidewalk. A right of way license agreement was prepared for that portion of the sidewalk in the Village right of way. We are waiting for the homeowner to return the executed and notarized agreement, which will be recorded in the land records at Montgomery County.

### **3405 Cummings La.**

The applicant has submitted for a building permit from MCDPS and the Village. The Village issued a building permit on 9/11/17 and construction is on-going.

### **7208 Delfield St.**

A dumpster permit has been issued for interior kitchen improvements in the ex. house. A performance bond has been posted to cover any damage to the Village right of way. The applicant recently amended the MCDPS permit for additional interior improvements.

### **7210 Delfield St.**

The homeowner has planted rose bushes and other plants, outside the new fence at the front of the property and within the Village right of way. A right of way license agreement was prepared for the plantings in the Village right of way. We are waiting for the homeowner to return the executed and notarized agreement, which will be recorded in the land records at Montgomery County.

### **3501 Shepherd St.**

The applicant has submitted a building permit application to make several improvements to the existing house. The County has issued their building permit and the Village is waiting for the applicant's architect to respond to several questions.

### **3510 Taylor Street**

The staff has noticed that the existing brick retaining wall within the Village right of way is collapsing, is a safety hazard, and is in need of immediate repair. The staff is attempting to contact the homeowner. A right of way license will be required.

### **3512 Taylor Street**

The staff noticed that when the retaining wall was re-built, the contractor left a 2-inch-wide depressed area between the existing Village sidewalk and the base of the new wall, which may cause a pedestrian to trip and fall. The staff is attempting to contact the homeowner to correct the situation.

### **3405 Thornapple St.**

The staff issued a building permit to relocate the existing house from the adjacent lot and add improvements to the old structure. The improvements include a new curb cut and driveway. The work appears to be completed. The applicant has poured a new driveway and apron and replaced a section of damaged curb. However, several sections of ex. curb have chips and cracks and I recommend they also be replaced. MCDPS has release their permit and the staff recommends releasing the Village's building permit.

MCDPS will not release the sediment control permit until the applicant removes the excess dirt that was placed on the lot at 3407. The additional grading was not approved by MCDPS. I recommend the Village retain the performance bond until the grading has been completed, the MCDPS has released their sediment control permit, the old driveway apron has been removed, and the damaged section of curb are replaced.

### **3407 Thornapple St.**

The staff has meet with the owner’s attorney and engineer regarding the siting of a new house on the lot. The owner’s attorney feels the Village Code is in conflict with the County Code regarding building setbacks and that the County Code should be followed. The staff and Village attorney feel the Village Code is more restrictive, but not in conflict. The applicant is re-working their plan and should soon re-submit it to the Village.

**MCDOT – North Delfield St.**

The staff has contacted the MCDOT maintenance department about a repairing the existing storm drain inlet at the north end of North Delfield St. MCDOT is not sure who owns the damaged inlet and they are still investigating the situation.

**MSHA – Brookville Road**

MSHA maintenance staff is investigating the water ponding at the northeast corner of Brookville Rd. and Bradley La. MSHA was recently contacted and they are still looking into a solution for the ponding water. MSHA has stated that sometime in Feb. 2018, they will make the adjustments to the curb, sidewalk ramp, and paving in order to improve the ponding situation. They will call as soon as the contract is awarded and a start date is set.

**AMT GIS Update**

AMT last updated the Village GIS computer data in 2014. In the spring, a RFP was sent out. The Village has received three proposals and they are being reviewed by the staff.

Mr. Lohmeyer also reported there will be a meeting on Feb. 22 regarding 3501 Shepherd St. and their request for a building permit application.

7:47 PM Financial matters, including Treasurer’s Report, and budget development initiation, and amendment for GIS services: Alexander

In this report, I want to continue discussion of the Village’s revenues, briefly describing each of the main items and their role in Village finances. The table shows the accounting categories for the most recent fiscal year that ended June 30, 2017 (FY2017).

**Table 1: Revenues for the Village of Martin’s Additions, FY2017 (July 1, 2016-June 30, 2017)**

Category	Amount (\$)	Percent of total (%)
Permit Fees	\$10,722	1.0%
Cable TV Franchise Fees	11,480	1.1
County Revenue Sharing	26,907	2.5
Highway Users Fees	21,872	2.1
Income Tax	717,755	67.4
Personal Property Tax	5,198	0.5
Real Property Tax	156,501	14.7
Utility Property Tax	14,537	1.4

Holiday Fund	9,780	0.9
Interest	15,666	1.5
Other Revenue	907	0.1
Washington Gas, Street Work	72,898	6.8
Total	\$1,064,224	100.0%

**Permit fees** are from the required permits for construction or other major modification to a property. They have been set to capture roughly office and review time.

**Cable TV Franchise Fees** are collected by the county and paid to the Village as compensation for the cable company's use of the right-of-ways.

**County Revenue Sharing** includes county property taxes that are returned to the Village according to a formula, intended to compensate for services that would otherwise be provided by the county.

**Highway Users Fees** are compensation to the Village for our maintaining streets that would otherwise be performed by the county; based on county revenues such as the gasoline tax and distributed according to formula.

**Income Tax** is the Village's share of the state income tax (17% of the total).

**Personal Property Tax** is collected on the assets and inventory of a company or business located within the Village.

**Real Property Tax** is the main property tax based on the rate set by the Village.

**Utility Property Tax** is based on a rate set by the Village on public utility company property (poles, cables).

**Holiday Fund** includes private donations collected for trash collection workers.

**Interest** is the income we receive on our reserve funds that are invested in CDs or the Maryland municipal fund.

**Other** is where we put miscellaneous revenue.

**Washington Gas** was a one-time payment to compensate the Village for damage to streets caused by installation of new gas lines.

The main point of this exercise is that most of these revenue categories are relatively minor, except for the income tax and property tax. The Maryland Municipal league and some of the large municipalities are negotiating with the county over the formulas to be used for revenue sharing and the highway users fees. Since these two items add up to less than 5% of our total revenue, shifting the formula by a few percentage points will have little impact on Village finances. However, that is not true for some other municipalities who have a real stake in these negotiations. Where we do have a major stake is in any reinterpretation of state income tax sharing. This subject comes up from time to time, but so far the discussions have not progressed.

The Village received three GIS proposals, and has selected CNA Engineering based on its proposal. A Budget amendment is needed to add \$10,000 from reserves to the GIS Update line item in the budget. Motion by Council member Alexander. Seconded by Council member Cissna. All in favor.

Council member Alexander also reported that Montgomery County will charge for distribution of the local income tax for FY19. The charge will only be about \$450 for Martin's Additions.

7:53 PM Discussion of Election Committee Rules and Regulations: Krajeck

Village Attorney Ron Bolt explained that the Council would be introducing and adopting on an emergency basis to allow for the earlier nomination period to open as proposed by the Election Committee. The Election Rules and Procedures would then be re-adopted in April to allow for 30 days between introduction and adoption.

Council member Krajeck asked why the Election Committee wanted a longer nomination time. Election Committee Chair Marty Langelan clarified that the nominations would open sooner, but that candidate materials would also be sent out to residents at an earlier date to allow more time between the closing of nomination and the date that materials are due.

Council member Krajeck asked about the provision of a resident requiring six months of residency in order to be eligible to vote. He asked former Election Committee members Frank Correl and Ted Stoddard (Turner Ln.) if they had ever enforced that provision. Neither Mr. Correl nor Mr. Stoddard could remember checking how long a resident had lived in Martin's Additions.

8:01 PM Council member Krajeck asked residents if they had questions on the election process:

Frank Correl (Turner Ln.) did not understand the phrase "qualified voter volunteers" in the Election Rules and Procedures, and asked for clarification. The Council explained that it meant a qualified voter who volunteers. Village Attorney Bolt added that the term "qualified voter" comes directly from the Charter. Mr. Correl did not believe that volunteer was a clear enough term.

Mr. Correl asked about short-term volunteers to help the Election Committee and what their role and qualifications would be. He had concerns about volunteer access to election data. Mr. Correl stated that he did not believe that nominated candidates should be required to consent to their nomination.

Mr. Correl asked how long the Ethics Committee's questionnaire was in place. Council member Krajeck explained that it had been in place for two years. Mr. Correl also asked about the standard questions that the Election Committee may ask candidates.

Mr. Correl asked for clarification on the timing of candidate statements being sent out.

Mr. Correl asks about how the Election Committee know who lives in Martin's Additions. Village Manager Matthew Trollinger responded that the Village keeps a running list of residents that is constantly updated throughout the year as residents move in/out. This has been the practice for a number of years.

8:30 PM Mr. Correl asked about voting locations, the process for absentee ballots, the process for requesting absentee ballots via email, and suggested that absentee ballot deadline be set earlier. Mr. Correl also asked about the electioneering provisions.

Mr. Correl asked about students and the voting procedure for students and how their eligibility is determined.

Mr. Correl suggested that only pens be used for ballots, to be provided by the Village. He also asked that the Election Committee remain nonpartisan.

8:43 PM Chair Krajeck asked if anyone else has a comment.

Jean Sperling (Shepherd St.) recommended that Election Committee member take an oath of appointment.

8:45 PM The Council discussed changing language to the draft Election Rules and Procedures for vote.

8:52 PM Council member Alexander moved to adopt the Election Rules and Procedures, Policy No. 2-16-2 on an emergency basis. Seconded by Council member Fattig. All in favor.

Council member Fattig moved to adopt the same policy as 2-16-2A to then have a public hearing at the March and April meetings for adoption in May. Council member Alexander seconded, all approve.

8:54 PM Introduction of Charter Amendment Recommendations: Bolt

Mr. Bolt explained the amendments to Section 101 of the Charter.

Ms. Sperling asked that language pertaining to the special taxing district be kept for posterity's sake, and to recognize that Martin's Additions was a special taxing district for the majority of its history. Council member Krajeck agreed and requested to delete that portion. The Council elected not to introduce the amendment to Section 101.

Mr. Bolt explained the amendment to Section 301 of the Charter, Charter Amendment Resolution 2018-1. Council member Alexander moved to introduce. Council member Fattig seconded, all approve.

Mr. Bolt explained the amendment to Section 405 of the Charter, Charter Amendment Resolution 2018-2. Council member Fattig moved to introduce. Council member Alexander seconded, all approve.

Mr. Bolt explained the amendment to Section 406 of the Charter, Charter Amendment Resolution 2018-3. Council member Cissna moved to introduce. Council member Fattig seconded, all in favor.

Mr. Bolt explained the amendment to Section 602 of the Charter, Charter Amendment Resolution 2018-4. Council member Fattig moved to introduce. Council member Alexander seconded, all in favor.

Mr. Bolt explained the amendment to Section 902 of the Charter, Charter Amendment Resolution 2018-5. Council member Alexander moved to introduce. Council member Cissna seconded, all in favor.

Mr. Bolt explained the amendment to Section 903 of the Charter, Charter Amendment Resolution 2018-6. Council member Cissna introduced. Council member Fattig seconded, all approve.

Mr. Bolt explained the amendment to Section 906 of the Charter, Charter Amendment Resolution 2018-7. Council member Fattig introduced, Council member Alexander seconded, all approve.

9:25 PM      Manager's Report including WSSC update and trash collection RFP: Trollinger

Village Manager Trollinger gave his report:

**Manager's Report  
February 15, 2018**

Administrative Matters:

- **Recycling Bins:** Residents who need to "upgrade" to a larger recycling bin should contact the Village office and we can order one for you. The recycling Toters come in 36 gallon and 48 gallon sizes.
- **Office Redesign and Orientation:** New furniture will arrive and be installed on February 27. The Village will also be fixing up the walls by spackling holes and repainting, fixing the lights, and shampooing the carpet.
- **Village Wine-Tasting Event:** The Village held a Wine Tasting event at La Ferme on February 11th with the help of the Community Engagement Committee, who helped incorporate a "cookie potluck" element and a kids' table into the evening. Thank you to all Village residents who were able to attend, we hope that you had a good time and that we can enjoy more events such as this in the future. We had over 100 residents attend the event, and the reaction was generally very positive. We still have 16 bottles left over at La Ferme which we can use at the Celebration on the Sidewalk.
- **2018 Village Election:** The Election Committee had its most recent meeting on Monday February 12. Preparations for the election are beginning, and nominations will open on February 24.
- **Other Events:** The Village has begun to look into an "Arbor Day" celebration, which is required for the Village to be designated a Tree City, USA. In addition, we anticipate a "Movie in the Park" night in late Aug. or early Sept. This will give the Village at least five events evenly spaced out throughout the year.
- **Welcome Bags:** The office has received new canvas bags for new residents as part of a welcome package. Thank you to the "Street Captains," organized by the Community Engagement Committee, for volunteering and helping to welcome new residents on their streets. If any residents know of a new resident, please let the Village office know and we can arrange for them to get a welcome bag.
- **Village Directory:** Village staff has begun work on an updated 2018 Directory. We have created a Village Contact Information form, and are asking that all residents fill out (even if information is unchanged). The form is available on the Village website, and periodic reminder emails have been sent out. Street Captains have also passed out hard copies to residents on each street in VMA. We will soon be sending drafts of each street out to be checked by residents before sending it off to the printer.
- **Bill-paying:** The staff has been looking into Bills.com as a way to streamline bill-paying. The recommendation came from the Village Accountant, Dan Baden. Village staff has inquired about the service with the Town of Chevy Chase, which also uses Bills.com, and recommends it highly. Staff has followed up with the Village's auditors at LSWG, who have multiple clients, including municipalities, who use Bill.com or other online bill-paying services.
- **Contracts:**

- *GIS*: Village put out a Request for Proposals (RFP) to update and maintain the Geographic Information System (GIS), the Village's system to capture, store analyze and present spatial and geographical data. Bidders have sent updated proposals, and they have been reviewed by staff, and references have been checked. Village recommends CNA Engineering for the project based on their proposal cost, responsiveness, and references. The estimated cost of the project is about \$27,000. We currently have budgeted \$20,000 for the GIS update, so a budget amendment will be needed to pay for it.
- *Waste Management*: The Village's trash and recycling contract with Waste Management will end in July 2018. Village has begun drafting a new RFP, but perhaps an invitation to bid would be more appropriate. The Village may also be interested in composting services.
- *Village Signs*: The Village has received multiple bids for Village signs at the entrances to the Village along Brookville Road. Bids range from \$1,500 to over \$5,000, and a variety of materials, from a printed "flat" look, to plywood, to longer-lasting high-density urethane. We have asked for references and examples to look at before selecting a designer.

### Community Engagement

- **Montgomery County Council District 1 Candidate Forum**: The Village of Martin's Additions has joined with The Town of Chevy Chase, Chevy Chase Village, Edgemoor, Hillmead, East Bethesda, Somerset, Chevy Chase West, Battery Park, Section 3 of the Village, Coquelin Run, and the Coalition of Bethesda Area Residents (CBAR) in co-sponsoring a nonpartisan candidate forum for the Montgomery County Council District 1 seat. The sponsorship comes at no cost, and there is no call for volunteers. However, as a sponsoring community, VMA residents are encouraged to submit questions to be potentially asked at the forum to. The event will be held at 7:00 pm on Wednesday, March 14<sup>th</sup> in the National 4-H Conference Center auditorium, 7100 Connecticut Avenue, Chevy Chase, MD 20815. As of this report, eight of the nine candidates have RSVP'd to the event. All residents are encouraged to attend.
- **Purple Line Advisory Committee**: There are likely to be road closures and other issues that arise due to Purple Line construction that is slated to begin this spring. Some of the surrounding communities have appointed a resident representative to sit on the Community Advisory Team (CAT) for Purple Line construction in Bethesda/Chevy Chase.

### Utilities: WSSC

- WSSC is returning to VMA for a sewer main replacement project. The following streets will be affected: Quincy, Raymond, Chestnut, Taylor, and Thornapple. WSSC held an information meeting on January 31. Village staff attended the meeting, along with a few residents. Unfortunately, WSSC has *still* not selected a contractor, so specific start-time information was not available. They expect work to begin in the spring and for the project to last 100 days in its entirety.
- Other streets that may affect traffic for VMA residents: a section of Brookville Road, and Cummings Lane beyond the boundaries of the Village.

### Streets & Sidewalks:

- The Village has completed its Village-wide sign inventory. The Village's traffic engineer, Joseph Cutro, estimates that the cost for sign replacement will be \$7,500 – 8,000. While this will keep us under budget, we may need to amend the Traffic Engineering budget item in the future in case there are any traffic studies or additional work that needs to be done.
  - Sign replacement will begin in the next couple of weeks and wrap it up by the end of March.
  - Residents on Quincy Street have inquired about a possible traffic study on the street to measure traffic numbers and get a sense of cut-through traffic, and whether a speed bump might help deter it. The Village does not have recent traffic information for that street. Village staff has instructed Joe Cutro to look into the weeks of February 26 and/or March 12 to compile data.
- State Highway originally planned construction work to incorporate redesign plans for the Brookville/Taylor intersection in the fall. However, the project has been delayed and is now scheduled for spring of this year. The redesign will move the stop signs closer to each other, reduce the distance pedestrians will have to cross the street, and increase visibility in all directions.
- Spring street cleaning is penciled in for March 5. Rolling Acres will also be picking up salt bins.

Sanitation:

- The last bulk pickup occurred on January 13, in coordination with A Wider Circle. The next bulk pickup will be March 10. A Wider Circle will do their pickup on Friday, March 9.

Building Administration:

- Please see report from Doug Lohmeyer, attached.

The Council entertained whether to include composting as part of its next trash collection contract.

9:48 PM Opportunity for Council to hear residents' comments: Krajeck

Paula Goldberg (Bradley Ln.) reported that she is recommending an Arbor Day celebration on April 29, which is required for Martin's Additions to be re-certified as a Tree City, USA.

Bill Catherwood (Shepherd St.) asked about GIS system and whether the Village would continue to use Arc GIS. Village Manager Trollinger answered that the ArcGIS system would not change, but that the RFP went out for an engineering firm which gathers and inputs the data. Mr. Catherwood also asked about cut through traffic on Shepherd St. and asked the Village to consider a traffic study.

Frank Correl (Turner Ln.) asked what the next steps are in adopting the election rules and procedures. Council member Krajeck responded that they were adopted by emergency measure so that the open nomination period would not be delayed, but that there will be a public comment period before they are voted on and re-adopted.

Lynn Welle (Oxford St.) asked that the Village look at the storm drain at the corner of Quincy and Oxford, which has begun chipping from cars driving over it.

9:58 PM Adjournment: Krajeck

Council member Alexander moved to adjourn. Council member Fattig seconded. All in favor. Council meeting is adjourned.