**Village of Martin’s Additions**

**7013 Brookville Road, Suite B, Chevy Chase, MD 20815**

**Minutes for Council Meeting on**

**January 17, 2019**

**Council Members Present:** Richard Krajeck; Arthur Alexander; Susan Fattig; Katya Hill; Tiffany Cissna (arrived at 7:57pm); **Village Manager:** Matthew Trollinger; **Assistant Village Manager:** Tina Lurie; **Attorney:** Ron Bolt; **Building Administrator**; Doug Lohmeyer, **Residents and other attendees:** Keith Allen (Turner Ln); David Bjorklund (Turner Ln); Elissa Bean (Turner Ln); Lynn Welle (Oxford St); Susan Kahn (Bradley Ln); Bernice Duvall (Taylor St); Ted Stoddard (Turner Ln); Mike Pratt (Montgomery County Police); Nick Picerno (Montgomery County Police)

7:28PM Keith Allen (Turner Ln) gave a weather report. Mr. Allen predicted Martin’s Additions will get about one inch of snow. He reported there will be an arctic freeze on Sunday, Jan. 20 and cold for Martin Luther King Day; the following week, he expected it to be in the 40’s and 50’s.

7:30PM Call to Order: Krajeck

Council member Krajeck explained that due to the bad weather outside, Building Administrator Doug Lohmeyer will give his report first so that he can then be excused from the rest of the meeting.

7:30PM Building Administrator’s Report: Lohmeyer

TO: The Council at the Village of Martin’s Additions

FROM: Doug Lohmeyer

DATE OF MEMO: January 15, 2019

SUBJECT: Building Administrator’s Report

**3520 Bradley La.**

The applicant has submitted a building permit to the County and the Village. The neighborhood information meeting has been held and the County and Village building permits have been issued. The handicapped ramp on the west side of the house was not included in the Village permit. I variance for the ramp may be applied for later.

**7204 Chestnut St.**

The applicant has submitted at building permit package to the County and the Village.

The application is undergoing the initial Village review. The Village is waiting for more information from the applicant’s engineer. The applicant has applied for a variance, which was held on Thursday, Dec. 20, 2018. A second variance hearing is scheduled for Jan. 30. 2019.

**7210 Chestnut St.**

The Village has received an application for a new house to be built on the vacant lot.

The information meeting with the residents was held on Monday Sept. 17th.

The County issued their building permit on Oct. 1, 2018 and the Village issued their building permit on Oct. 11, 2018. Work begun at the site on Oct. 11th.

**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. A Village building permit has been issued for the enclosing of the existing screened porch.

**7213 Delfield St.**

The property owners have submitted a permit to replace with ex. driveway. The existing concrete driveway apron will remain. The Village permit is being processed.

**3404 Shepherd St.**

The proposed improvements were not completed prior to the original building permit expiration date. The Village has extended the applicant’s building permit until May 16, 2019. According to the MCDPS web-site, the County closed their building permit on Nov. 30, 2018. The staff will make a final site visits, prior to the Village releasing the building permit and returning the performance bond.

**3501 Shepherd St.**

The applicant has submitted a building permit application to make several improvements to the existing house. The County and Village has issued building permits and the work is proceeding.

**3508 Shepherd St.**

The applicants have submitted at building permit package to the County and the Village.

The neighborhood information meeting was held on Nov. 7th and the Village permit has been issued. The applicant is preparing the documents abandoning the existing shared driveway and creating an easement for the neighbor. The documents need to be reviewed by the Village attorney before they are recorded.

**3521 Cummings La.**

The applicant has submitted a building permit to the County and the Village. The staff has completed the initial review. The applicant has applied for a variance for the EBL setback along Cummings La. for the house addition and the detached garage. They also applied for a variance of the 30% non-vegetative surface, so they can install a circular driveway. A variance hearing will be scheduled.

**3412 Taylor St.**

An application for a County and Village building permit has been submitted. A resident’s information meeting was held on Tuesday, June 19th. A Village right of way permit will required for this connect, since the proposed 6” pipe will pass through the Village right of way. The Village building permit has been issued. Work has not begun.

**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 house construction is completed. However, several sections of ex. curb in front of the house have chips and cracks and I recommend they be replaced. MCDPS has release their building 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. The owner has removed the stockpiled material at the rear of the lot but has not re-graded to the lot to comply with the County approved sediment control plans. 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 applicant has submitted a building permit application to the County and the Village.

The plans need to be revised to comply with the Village’s “secondary setback” requirement. The plans have received the initial Village review and a neighborhood information meeting was held on Monday, Jan.14, 2019. The County has not issued their building and sediment control permits.

**Miscellaneous Items**

The staff is presently working with the following properties:

MSHA Brookville Rd. and Quincy intersection ponding rainwater

7:34PM Council member Krajeck asked the VMA police officers to give a report.

Officer Mike Pratt reported that there is not very much crime in the Village compared to other municipalities in the area. He reported there is very little theft from autos, and Village residents are doing a good job keeping their doors locked and reporting crimes. He advised residents to continue locking their car doors, and to keep their garage doors closed. Officer Nick Picerno also reiterated that residents should lock their doors, saying most of the reports of auto break incidents are due to people not locking their cars. The officers noted that the new streetlights have had a positive influence on visibility, but that there may be some dark spots that could be addressed in the future. They reported that it is particularly difficult to catch petty crimes such as theft from auto because the crimes themselves are so quick that by the time officers respond the culprits have moved on. Because theft from auto is considered a “crime of opportunity,” the best defense is to make sure doors are locked. The officers had pamphlets to pass out, and left extra resources in the Village office.

Susan Kahn (Bradley Ln) asked if we should consider community conferences or ways to help the folks who do commit crimes, particularly juveniles.

7:46PM Opportunity for Council to hear resident comments: Krajeck

Bernice Duval (Taylor St) stated that Washington Gas vehicles have been stopping in front of her house for weeks and they are pumping water out of the line. Council member Krajeck suggests a Washington Gas representative come to the next Council meeting. Manager Trollinger said he would invite our government representative Kelly Caplan.

Susan Kahn (Bradly Ln) mentioned that she wrote an email to the Council regarding getting a crosswalk at the intersection of Bradly and Brookville. She is concerned about safety and suggested a crosswalk and stop signs be installed. Council member Krajeck said a crosswalk would improve safety. He suggested Martin’s Additions communicate with Chevy Chase Section 3 and Chevy Chase Village to draft a letter to State Highway, which oversees Brookville Road.

David Bjorklund (Turner Ln) said the Village streets were in bad shape during the snow storm. He stated the brine application didn’t work. Manager Trollinger said the brine is only effective for up to 3 inches of snow. Council members Krajeck and Hill asked when Rolling Acres began to plowing. Council member Krajeck noted that he thought the streets were well taken care of.

Council member Hill mentioned that the Brookville sidewalks had snow on them after the storm was over.

8:03PM Committee Updates: Krajeck

Elissa Bean stated that the Community Engagement Committee is taking a short hiatus to reevaluate the Committee’s structure, and have elected, with permission from the Council, to elect five permanent Committee members. Ms. Bean reported that Sallie Van Tassel from Shepherd St. is interested in being appointed to the Committee. Council member Alexander motioned to accept Ms. Van Tassel’s appointment to the Community Engagement Committee, Council member Hill seconded, Ms. Van Tassel was accepted as a member of the Community Engagement Committee by unanimous vote.

Ms. Bean also announced that the committee will meet on an ad hoc/as needed basis rather than every month. A spring event is in the works to replace the Valentine’s event at La Ferme this year. Sallie Van Tassel has offered her back yard for an “adults-only” event. Council member Krajeck thanked the committee for their hard work. He proposed a volunteer recognition lunch, brunch or dinner at La Ferme in the spring.

Ms. Bean said the Committee is still potentially looking for one other official member, though she thought Katherine Hample (Cummings Ln.) may be interested. Council member Alexander says there is roughly $15,000 in the committee budget.

Manager Trollinger reported that last month, Marty Langelan, Chair of the Election Committee, asked the Council to amend the election procedures and change the nomination deadline from 30 days to 45 days to align with the Village Charter. Council member Cissna moved to update2-16-2A from 30 days to 45 days, Council member Fattig seconds, all in favor.

8:11PM Action on Meeting Minutes of December 6, 2018: Krajeck

Council member Alexander moved to approve the minutes, Council member Hill seconded, all in favor.

8:12PM Treasurer’s Report: Alexander

Council member Alexander suggested the Village designate funds for sidewalks and the walkability study. Council member Krajeck said an increase in safety, per what Susan Kahn suggested, can be part of this. There is $1,000,000 in the budget for Streets, and Capital Projects. Council member Hill motioned to designate an additional $750,000, Council member Fattig seconded, Council members Krajeck, Alexander, Hill, and Fattig approve, Council member Cissna abstains. The motion passed 4-0.

Council member Alexander suggests we add more streetlights.

Village of Martin’s Additions

Financial Report for December 2018

Arthur Alexander, Treasurer

January 18, 2019

July 2018 through December 2018

Actual Budgeted

Revenues $ 382,698 418,450

Expenses (excluding capital projects) 374,361 419,800

Net Income (revenues minus expenses) 8,337 -1,350

Capital expenditures $0

Allocated capital improvements funds $ 1,000,000

Reserve account (current assets less designated allocations): $ 1,949,191

For the first half of the fiscal year, both revenues and expenditures are running about as budgeted almost nine months ago. Of course, we did not have perfect foresight last May, but had to revise the budget last month to reflect unforeseen changes in operations. Nevertheless, we did not change the bottom line, but updated a few of the 35 individual budget lines.

One area that we will have to focus on in the remaining part of the fiscal year is the revenues we receive as part of the Village’s share of the state income tax. The first large distribution of these revenues was below our initial first guess; the state of the economy and financial markets will determine future distributions.

Looking to the future, we will be adding funds to the capital account to cover large, onetime expenditures such as completion of the road pavement and improvements to the Village’s walkability.

8:19PM Small Cell Tower Legislation and Background: Bolt

Village attorney Ron Bolt said 5G (5th generation) broad band is currently in development, and is expected to be launched in the next year or so. 5G will use a smaller bandwidth that is faster and it will need more smaller antennas. Mr. Bolt explained that currently municipalities cannot deny applications to build antennas. In order for the Village to protect itself from federal regulations that will soon be in effect, he recommended the Village put in place legislation regulating the installation and usage of small cell antennas. All of Mr. Bolt’s municipal clients in down-County Montgomery County are going through this same process and have the same draft ordinance. In addition, Chevy Chase Village, Takoma Park, and Gaithersburg have their own ordinances. Mr. Bolt explained that in his capacity representing the various communities in the area, and he has consulted with a telecommunications attorney and other experts to help draft language for legislation. The legislation is also based in part off of the National League of Cities model ordinance.

Council member Krajeck says we need better definitions of some of the terms in the proposed legislation.

8:47PM Council member Krajeck motions to introduce Resolution 1-19-1, an ordinance for small cell towers. Council member Hill seconded, all in favor.

8:50PM Council member Krajeck discusses possibly increasing fees for variances. It is currently $1500 per variance hearing. Council member Krajeck suggests it should be $1500 per variance.

855:PM Manager’s Report: Trollinger

Manager Trollinger went through his report (below).

**Manager's Report**

**January 17, 2019**

Administrative Matters:

* ***Holiday Fund:*** Donations have been collected and distributed for the Village’s 2018 Holiday Fund. This year was the largest collection to date. Village residents generously gave over $10,000 altogether.
* ***Small Cell Towers:*** After multiple meetings with other local municipalities, Village attorney Ron Bolt has drafted legislation for the Council to consider. The language is also used in other municipalities’ legislation. The hope is that with uniform legislation, the regulations will be easier to follow for telecom companies, and more likely to stand in the face of potential overrides at the federal, state, or county levels.
* ***Dockless and e-Bicycles and Scooters:*** The Village is opting out of the dock-less and e-bicycles and scooters program in Montgomery County. Riders will not be able to start or end journeys in Martin’s Additions. The Village may elect to opt in at any time.
* ***Accounting:*** The Village is currently in discussions with its accountant to set up a new access to Quickbooks software so Village staff will be able to create reports and more closely handle day-to-day bookkeeping records, with the goal of taking on in-house book-keeping by the start of the next fiscal year. The Village’s accountant long-term role and oversight is still being considered.
* ***Tree City USA***: Village staff has finalized the Village’s Tree City application so the Village is re-certified for 2018. In addition to Tree City, the Village has applied for, and is expected to receive the State of Maryland’s equivalent Plant Award for 2018.
* ***Tree Planting***: The Village has completed tree plantings for FY18. The Village had its highest participation in the tree subsidy program, with six participants.
* ***Tree Maintenance***: Pepco has completed regular tree maintenance in the Village
* ***Village Website***: The Village has added a new ADA compatibility button to the website.
* ***Office Redesign***: The Village is getting quotes on replacement for the old and breaking bookshelves, and the window shades.
* ***Winter Storms***: The Village has been using a brine solution to reduce environmental impacts of pre-treating roads. The brine proved effective in this first storm this year (on the weekend of January 12), and VMA roads were overall in as good if not better shape than surrounding streets, particularly Bradley and Brookville.
* ***Community Events:***
  + *Playground Equipment:* Chevy Chase Village, Section 3, and Rollingwood all signed onto a letter asking for an upgrade to the Shepherd Park playground. A follow up email was sent to the Parks and Planning Chair and the new Council on December 5, 2018 after their inauguration. The Village is expected to meet with Parks and Planning Chairman Casey Anderson on January 25th at the park to discuss new equipment. Section 3 Manager Andy Harney is confirmed to attend as well, in addition to a representative from the Rollingwood Citizens’ Association.
  + *Volunteer Reception:* The Village will host a volunteer reception brunch at La Ferme for committee members and those who have made significant volunteer contributions to the Village in the past year. Date and time are still TBD.
* ***Contractors and Contracts*:**
  + *GIS*: Online software is up and running. The Village is scheduling with E.N.E. to do a new survey of homes with changed fronts, new streetlights, and other changes which can then be incorporated onto the new GIS system.
  + *Street Maintenance*: The Village may be interested in hiring a contractor for general street maintenance after all streets have been repaved to fill large potholes and make repairs as necessary between now and the next major repaving.
  + *Landscaping/Lawn Service/Leaf Vacuuming):* Village staff has put together a new RFP combining these two services after feedback from companies that offer them. The Village has reached out to MML about posting on their website, and is posting on the Maryland State page in addition to the VMA website.
  + *Office Utilities:* The Village has renegotiated its Ricoh contract to save roughly $500 per year on copying bills.
  + *Walkability Study:* The Village is exploring a contract for a firm or company to lead a walkability assessment of the Village and any accompanying meetings and task force that may arise. The Village will put out an RFP for such work in the next month.

Utilities: WSSC

* WSSC has finished sewer repairs on Quincy and Raymond Streets, and Thornapple Street, and are now underway on Chestnut. They expect work to continue until mid-February at least, depending on weather. All the streets should be completed by mid-May 2019, and we will finish with repaving at that point as well.
* The Village has put up a new parking sign reserved for persons with disabilities in front of the Brookville Market. The space was removed when State Highway re-did the intersection earlier this year.

Utilities: Road Repairs

* A.B. Veirs began concrete repairs on Raymond Street the week following Thanksgiving. Originally the Village had planned to finish Raymond Street and Quincy Street before the winter, but a wet fall and low temperatures in late November-early December have led the Village to make the difficult decision to postpone re-paving until the spring. This decision was made on the advice of AB Veirs, and the Village’s two contracted engineers – Joe Cutro and Doug Lohmeyer – who have all cautioned that repaving and pouring concrete now runs a risk of a compromised final product. The concrete would be in danger of chipping, spalling, and cracking; and the streets would not compact right, causing cracking, chipping, and potholes. Asphalt plants close during the winter, so the Village will begin work once the plants re-open in the spring. By that time, Chestnut Street and Thornapple Street should be finished by WSSC, and the entirety of Martin’s Additions will (finally) be repaved.
* Several residents on Quincy Street have emailed to ask the Village to reconsider the redesign of the Quincy/Oxford corner and intersection.

Sanitation:

* The last bulk pickup occurred on January 12. The next pickup will be on March 9, with a Wider Circle pickup on Friday March 8.

Building Administration:

* Please see report from Doug Lohmeyer, attached.

9:12PM Opportunity for Council to hear residents’ comments: Krajeck

Susan Kahn (Bradley Ln) asks about 5G and possible safety issues. She requests that we study what other cities and states are doing. The Council noted that the FCC ruling does not allow municipalities to regulate based on health concerns. Council member Krajeck reiterated that a public hearing would be held at the next Council meeting.

9:19PM Closed Session: Discussion of Personnel Matters

Council member Cissna moved that the Council move into a closed session, pursuant to the Open Meetings Act, General Provisions Article, Section 3-305(b)(7), to discuss personnel matters. Council member Hill seconded. All in favor. The Council entered into a Closed Session. Present were Council members Richard Krajeck; Tiffany Cissna; Arthur Alexander; Katya Hill; Susan Fattig; Village Manager Matthew Trollinger and attorney Ron Bolt.

10:00PM Council member Cissna motioned to adjourn, Council member Hill seconded, all in favor. The meeting adjourned.