

Village of Martin's Additions
7013 Brookville Road, Suite B, Chevy Chase, MD 20815
Minutes for Council Meeting on
January 18, 2018

Council Members Present: Tiffany Cissna; Arthur Alexander; Susan Fattig; 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.); Josh Bowers (Summit Ave.); Bernice Duvall (Taylor St.); Todd Mann (Raymond St.); George Legarreta (Thornapple St.); Elissa Bean (Turner Ln.); Lauren Biel (Delfield St.); Sally Maran (Turner Ln.); Frank Correl (Turner Ln.); Benjamin Dunford (Taylor St.)

7:30 PM Call to Order: Cissna

7:31 PM Introduction of Christa Burton from Representative Jamie Raskin's office and Postmaster Hugo Aldana from the Bethesda District of the U.S. Postal Service.

Mr. Aldana gave some brief remarks and answered residents' questions related to mail delivery problems. He explained that his office is the largest in the Capital District, but that it was no excuse for poor service. He apologized to the residents for the unreliable service, and described a number of steps his office has taken to help address the issues, including hiring new staff for training and oversight of carriers. He has spoken with all of the carriers in Martin's Additions, and has replaced the previous carrier with a more experienced one on the most problematic route, which includes Summit Avenue, Thornapple Street, Delfield Street, Chestnut Street, and Taylor Street. Since that change, there has been overall better service. At the request of Lynn Welle (Oxford St.), Mr. Aldana provided the list of mail carriers in Martin's Additions (see below), and which will be distributed by the Village office via email.

List of mail carriers in Martin's Additions:

Route 2 Michael Hendricks (Replacement Juanity Adams)
Cummings Ln.
Melville Pl.
Shepherd St

Route 4 Louis Hoggs (Replacement Gregory Kennedy)
Turner Ln.

Route 71 Eric Ruffin (Replacement Michel Stanton)

Bradley Ln.
Oxford St.
Raymond St.
Brookville Rd.
Quincy St.

Route 76 Maya Roseboro (Replacement Twana Adams)

Chestnut St.
Delfield St.
Summit Ave.
Thornapple St.
Taylor St.

Mr. Aldana asked that if residents have an issue in the future, that they contact him directly as soon as possible and give the date of the problem, so that he can quickly identify what carrier was on duty and how to address the problem. His cell phone number is 301-892-0317, and his email is hugo.b.aldana@usps.gov. He also suggested that if an important mailing needs to be sent out (such as Election-related materials) that he be contacted to keep an eye out for it and to make sure that it is handled correctly. Finally, Mr. Aldana also asked that residents be (1) sure to clear the path to their mailboxes of snow/ice and (2) mindful of their dogs and not let them out until the carrier has left the property. A number of carriers (not necessarily in Martin's Additions) have been bitten, with a few sustaining bites to the face.

7:50 PM Opportunity for Council to hear residents' comments: Cissna

Lauren Biel (Delfied St.) asked that the Council consider adding more building and storm water drainage regulations to the Village Code.

Frank Correl (Turner Ln.) mentioned the passing of longtime VMA resident Dan Gardner. He also expressed concern that residents are only allotted five minutes to speak at the beginning of the meeting and he said that is not enough time. He also asked whether the agenda's notice relating to a potential closed session was boilerplate language, and whether the topic of such a discussion could be made public. Mr. Correl suggested the Village staff send out an email to residents when minutes are posted and he also inquired if residents can ask questions during the meeting discussions instead of at the beginning or end of the meeting. He expressed concerns that residents did not have an opportunity to discuss the proposed Charter amendments, and should be able to do so while the Council is discussing them. Lastly, he requested that the Village Office send out a reminder email to residents that their walkways should be cleared of snow and ice for mail carriers.

The Council addressed Mr. Correl's concerns by: noting that the agenda times were merely placeholders; confirming the closed session language was indeed boilerplate as recommended by the Village attorney in case there was a last-minute need to hold one,

and that the topic would be available and would be reflected in minutes, if such a closed meeting were to take place; returning to the practice of minutes being posted separately of any other items and be sent out via email on Constant Contact; confirming that residents would be able to comment on the Charter amendments once they had been introduced.

Jean Sperling (Shepherd St.) requested that the Council hold a public hearing on the Charter amendments. She also asked if anyone from the Council or management will be attending the WSSC public hearing regarding the sewer renovation project. Ms. Sperling expressed concern about the Village replacing street signs. Finally, Ms. Sperling requested that meeting packets be uploaded to the website sooner, as residents are receiving them too late.

The Council addressed Ms. Sperling's concerns by reiterating that the Charter amendments were merely being discussed that night, that they would be formally introduced at a later date, and that a public hearing would be held. In addition, the Village will at least have Village Manager Trollinger present at the WSSC Meeting. The Village would not be replacing all Village signs, but only those identified by its traffic engineer, Joseph Cutro. The Village staff will try to upload Council meeting packets, a relatively new practice, sooner.

Bernice Duvall (Taylor St.) asked the office to look into spray-painted marks on Taylor Street.

Ben Dunford (Taylor St.) asked that the office provide as much notice as possible when posting "no parking" signs.

Sally Moran (Turner Ln.) asked that the office remind new residents that they are required to shovel and clear their sidewalks.

Keith Allen (Turner Ln.) gave the weather forecast for February.

8:16 PM Committee Updates

Election Committee Update: Langelan

Marty Langelan (Chestnut St.) requested the appointment of Susan Post to the Election Committee through the end of the fiscal year. Ms. Post has agreed to fill a vacancy. Council member Cissna moved, Council member Alexander seconded. All in favor.

Community Engagement Committee: Biel

Lauren Biel reported the street captains are up and running. She confirmed a wine tasting event at La Ferme on February 11 and there are discussions underway for the May

Celebration on the Sidewalk/Election, a July 4 event and an Arbor Day event to enable us to qualify as a Tree City USA community.

8:24 PM Action on Council Meeting Minutes from October 19, 2017: Cissna

Motion by Council member Alexander to approve the minutes; seconded by Council member Fattig. All in favor.

8:25 PM Building Administrator's Report: 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.

6702 Melville St.

The Village has issued a building permit to enclose the breezeway between the existing house and garage. On Dec. 19th, MCDPS finalized their building permit, so the Village can release their permit and refund the performance bond.

3404 Shepherd St.

An application has been submitted to add a second floor, a covered front porch, and a covered patio to the existing house. The application has been reviewed. The staff has issued a Village building permit and the work is proceeding. The applicant has submitted a certified height survey, which indicates the addition is in accordance with the Village Code.

7200 Summit Ave.

The construction of the new bay window has been completed and the Village will sign-off as soon as the County signs-off. The County permit is still open.

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 Jan. 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. The staff will contact the staff at MSHA for an update.

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.

8:20 PM Financial matters including Treasurer’s Report: Alexander

**Discussion: Should the Village of Martin’s Additions Reduce the Property Tax Rate?
Arthur Alexander (Treasurer) January 18, 2018**

Until fiscal year 2011, the Village’s property tax rate was set at a very low rate. The intention was to have a tax on the books that could be increased in an emergency. Consequently, until about ten years ago, the property tax raised only 3% of the Village’s total revenues. (See Table 1.)

With the onset of the great recession, revenues based on the Village’s share of the state income tax plummeted by almost \$400,000, almost 60%. That revenue collapse required the emergency measures contemplated with our low, existing property tax rate. In 2011, property tax revenues jumped by more than \$100,000, rising to 24% of total revenues.

As the economy recovered in subsequent years, income tax revenues gradually climbed; by 2014, they approached the pre-recession level. In the past two years, they have been consistently and significantly above the old peak.

**Table 1: Village of Martin’s Additions Revenues and Expenditures, FY 2007-17
(dollars)**

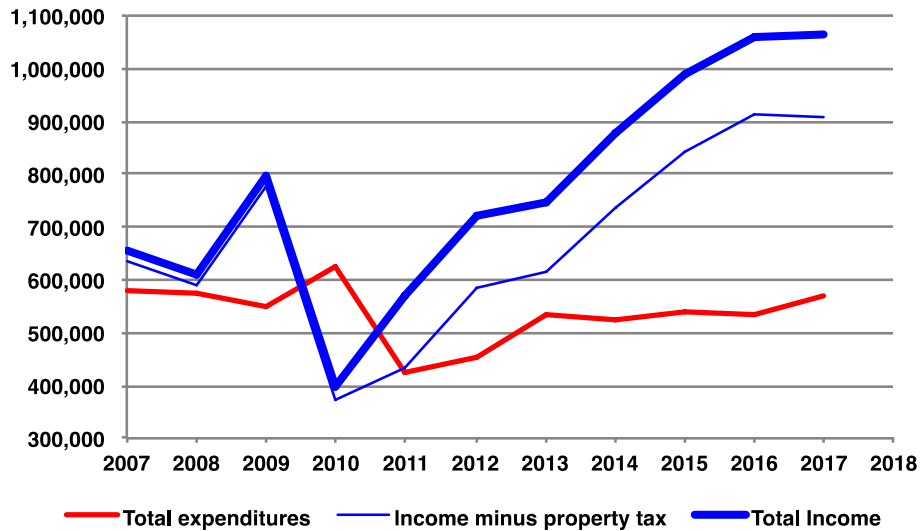
Fiscal year	Income tax	Property tax	Other revenues	Total income	Total spending	% of total: income tax	% of total: property tax
2007	491,494	17,109	144,383	652,986	579,550	75	3
2008	449,475	19,866	140,711	610,052	575,275	74	3
2009	678,966	22,717	97,166	798,850	550,614	85	3
2010	293,972	24,779	77,047	395,797	625,223	74	6
2011	353,851	135,456	80,315	569,621	424,716	62	24
2012	516,346	135,505	69,593	721,444	454,478	72	19
2013	528,000	135,000	84,735	747,735	534,435	71	18
2014	629,374	144,971	105,694	880,039	521,971	72	16
2015	747,818	146,694	95,776	990,288	540,579	76	15
2016	818,013	147,830	94,795	1,060,638	532,142	77	14
2017	717,755	156,501	189,968	1,064,224	570,995	67	15

In the financial crisis year 2011, not only was the property tax increased, but also expenditures were cut by one-third. Close budget controls since then have kept total spending close to the ten-year ago levels. The combination of rising revenues and budget stringency has produced recent annual surpluses of around \$500,000. Those funds were added to the reserve account that serves as a buffer for unexpected fiscal occurrences as well as for large, infrequent capital expenditures. Last year, for example, we spent almost a million dollars on road repaving and the installation of new streetlights; that money came out of designated capital funds put aside from the surplus.

With the recovery of the Village’s portion of the state income tax, it is time to revisit the current property tax rate, raised in an emergency a decade ago. Figure 1 shows the time trends of total revenues (thick blue line), revenues excluding the property tax (thin blue line), and total spending (red line). With the surprise collapse of income taxes in 2010, the Village incurred a deficit and had to withdraw funds from our reserves. Since then, we have had continuous surpluses. Indeed, for the past several years, the Village would have run a surplus of more than \$300,000 annually even with no property tax at all. We would have been able to put money in the bank for the emergency rainy day as well as to buttress the capital spending account.

The above facts and trends suggest that we can now safely move back to the low property tax rates of ten years ago.

Figure 1: Village of Martin’s Additions Revenues and Expenditures (dollars)



Motion to approve the Treasurer’s Report by Council member Fattig, second by Council member Cissna. All in favor.

8:35 PM Small Cell Tower Legislation: Bolt

Village Attorney Ron Bolt gave a quick overview of proposed federal legislation being pushed by cell phone companies that would limit local legislation regulating the placement of small cell towers in public rights of way. The Maryland Municipal League is actively engaged in advocating for local governments. The attorneys’ association is holding a meeting on February 8th that will be attended by Mr. Bolt. Council member Cissna directed Manager Trollinger to contact Representative Jamie Raskin’s office to discuss the issue and ensure that the Congressman is aware of the Village’s interest in the matter.

8:40 PM Charter Amendments: Bolt

Village Attorney Ron Bolt briefly explained the history of the Charter amendments, dating back to an independent review of the Village Code and Charter in 2015 as well as his more than 10 years of representing the Village. He further explained that the majority of amendments were simply to clear up inconsistencies in the Charter and eliminate

outdated references to the Village as a Special Taxing District, and address items identified over time and by a recent third-party review. He noted that the Election Committee also recommended changes to make the Village Election more inclusive. Tonight the Council would be discussing these amendments for the first time since late 2015 / early 2016.

Council member Alexander read an email from Village resident Mike Zielinski, objecting to the amendment in Section 301 on the basis that the term "domiciled" has a narrower definition than "resident," and may inadvertently disenfranchise noncitizen residents. The Council also debated whether the reference to students should be included in the Charter.

The Council debated whether the reference to anonymous nominations in the amendment to Section 602 should be eliminated, on the basis that nominations must be made by a qualified voter; and anonymous nominations cannot be verified to have come from a qualified voter.

The Council discussed the amendment to Section 701 (b), specifically whether the Treasurer should be required to sign checks over other Council members, and what mechanisms would exist if the Treasurer were unavailable. The Council did not want the process to be overly burdensome if the Treasurer were not available to sign checks.

No amendments were introduced. The Council directed Village Attorney Bolt to incorporate edits that addressed the concerns that were raised. The amendments will be up for introduction at the next Council meeting on February 15 and there will be a public hearing after that before any amendments would be adopted.

9:11 PM Manager's Report: Trollinger

Village Manager Trollinger gave his report. The Council asked that the Village directory information form be included with the next Village newsletter. The Council instructed staff to upload minutes and recordings as soon as possible, and gave permission to make any upgrades that are necessary if software updates are needed. Council member Alexander asked that Village staff inquire with the County about the possibility of adding crossing guards to the Brookville/Taylor intersection.

Administrative Matters:

- **Holiday Fund:** The Village has collected all holiday fund checks from Village residents and distributed to the Waste Management drivers. In total, Village residents generously gave nearly \$10,000 to the five Waste Management workers who dutifully collect trash, recycling, yard waste, and bulk pickups in VMA. They expressed their thanks to the residents, and were very grateful.
- **Office Redesign and Orientation:** Staff made the initial order for new chairs a few months ago. Earlier this week staff placed the second and final order for office furniture, and is still working out details with a contractor on fixing lights

and repainting the office. Due to budget restraints, the staff has elected not to re-orient the office at this time.

- **Village Wine-Tasting Event:** The Village is planning a second adult Wine Tasting event at La Ferme. We are currently holding February 11th as the date.
- **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 back-to-school "Movie in the Park" night in late August or early September. 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.
- **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 will be sent out. Street Captains are also passing out hard copies to residents on each street in VMA.
- **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.
- **Website:** The new website is now live. Because so much information was transferred over, if there are any pages or information that is out-of-date, please let the office know so we can fix that ASAP.
- **Email:** Staff has changed the Village emails to match the website domain name (martinsadditions.org).
- **Mail Delivery:** Several residents have had mail delivery issues for the last several months. Village staff connected residents directly to the Postmaster's office and Jamie Raskin's office, and arranged for the Postmaster and Christa Burton, an aide to Congressman Raskin, to attend the January Village Council meeting to address concerns. *Newsletter:* continues to be published monthly online. The next edition should be going out in the next two weeks. Residents can request to be added to the email list by calling or emailing the Village office. If you wish to receive a hard copy, please contact the Village Office.
- **Trashcan on Thornapple:** The Village has installed a new trash can on Thornapple Street near the dog waste bag dispensers. In the cold weather, there have been concerns about dogs being let out unaccompanied and without leashes, and of dog waste not being cleaned up. Whether you have a dog of your own, or if you have someone watching your pets, please make sure that they are cleaned up after and leashed - not only as a courtesy to neighbors, but also because it is the law in Montgomery County. These laws are covered under the Montgomery County Code, and can be found.
- **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 the Village hopes to select a contractor by the end of the month.
- *Waste Management*: The Village's trash and recycling contract with Waste Management will end in July 2018. Village staff will shortly begin drafting a new RFP.
- *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.

Montgomery County Master Plan Transit and Highways

- The Village Council sent a letter to the Montgomery County Planning Board in opposition to the reclassification of Brookville Road from "primary residential" to "minor arterial." County Planning Staff met with the Board on December 14th. Due to feedback, the reclassification of Brookville Road was removed as a recommendation, and is no longer included in the plan.
- The County also wants to incorporate Cummings Lane and Brookville as part of its biking Master Plan. The effect on those streets is likely to be minimal – both will remain shared roadways, and will not be widened nor have a bike lane added; but signs may go up to warn drivers of bicyclists.

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 will be holding an information meeting on Wed., January 31 from 7:00 – 8:30 p.m. in the All-Purpose Room of Chevy Chase Elementary School (4015 Rosemary Street). Village staff will be in attendance, and all residents are also invited to attend.

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.
 - The cold weather has prevented us from putting in any signs, but we expect to complete 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.

- Roads will continue to be evaluated and potholes filled on an as-needed basis. If a resident has a concern about a pothole, please call the Village office.
- State Highway originally planned construction work to incorporate redesign plans for the Brookville/Taylor intersection this fall. Village staff has met with representatives with State Highway, along with staff from Section 3. However, the project has been delayed in order to incorporate into their plans a fix for ponding issues. Work is now scheduled for spring of 2018. 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.

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.

9:33 PM Opportunity for Council to hear residents' comments: Cissna

Frank Correl (Turner Ln.) gave his appreciation that there will be a public hearing on the proposed Charter amendments. He expressed concern about the term "domiciled" in the Charter amendment to Section 602. He also suggests the Village Office publish the names of the various Village committees in the February newsletter, as well as the Chair of each committee. He also recommended that the Village send out newsletters to former Village resident and Council member Steve Schmal, who moved away to San Diego but is still interested in Village goings-on.

Jean Sperling (Shepherd St.) asked how Ron Bolt determines what goes in the Charter vs. the Village Code. She also recommended the Village staff contact Garrett Park staff, who uses County voter rolls for their municipal election.

9:55 PM Adjournment: Cissna

Council member Cissna made a motion to adjourn. Council member Fattig seconded. All in favor.