

**Village of Martin's Additions
Council Meeting Minutes
January 22, 2015**

Council Members Present: Alexander, Cissna, Fleming. **Attorney:** Bolt. **Village Manager:** Sperling. **Building Administrator:** Beal. **Residents/ Guests:** Keith Allen, Hanne & Frank Correl, Ted Stoddard, Bill Catherwood, Cris Fleming, Steve Trowern, Katya Hill.

**7:30 PM CALL TO ORDER: ALEXANDER
RESIDENTS' CONCERNS AND CONTRIBUTIONS**

Tom Plotz (Delfield St) - Provided comments on the new block party policy. Recommended the policy only apply to private block parties that are exclusive or to disallow these types of parties altogether. Suggested many residents may hesitate to organize block parties due to reluctance to provide the Village indemnification, decreasing the number of parties held.

Clarification was provided by Attorney Bolt; if the party is being organized by the Village Office, it is a public event. If it is not being organized and administered by the Village, then it is a private event, and the block party application would need to be submitted.

Katya Hill (Raymond St) – Questioned the practical importance of the distinction between private and public functions as proposed by Councilmember Fleming.

Steve Trowern (Raymond St) - Requests clarification on a party inviting all residents of a street, and the classification or public versus private. He supposes that parties inviting all residents but not organized by the Village should be called “public” parties.

Attorney Bolt explained that in general, the public has a right to use the public right of way, so the Village cannot grant exclusive use for a private (exclusive) party. Street parties that are organized by individuals should be open to the public-at-large. Any party not hosted by the Village is considered a “private party.” Assurance must be given that emergency vehicles can pass expediently if the Village is not present. Bolt comments this policy is “basic” compared to other local government policies (such as Montgomery County, Rockville, and the Town of Chevy Chase), some of which require proof of insurance.

Councilmember Cissna provided an example to assist in clarification of types of parties. Discussion followed on whether to remove the indemnity requirement and just require the notice and registration requirements for block parties. Mr. Trowern commented that residents might not appreciate the distinction between private and public parties. Councilmember Alexander agreed clarification was needed.

ELECTION AND ETHICS COMMITTEE

Appointment of Jim Alberg; Confirmation of other members

Jim Alberg has agreed to serve on the Election and Ethics Committee, with Mark Weiner and Ted Stoddard. Frank Correl will no longer be chairman, new chairman has not yet been chosen.

Motion: Councilmember Fleming

2nd: Councilmember Alexander

Vote: All in favor.

REVIEW OF TENTATIVE 2015 ELECTION SCHEDULE

Terms Expiring for: Josh Bowers, Bill Lebovich, Jon Fleming

* =Charter requirements; [Bracket simply denote a comment]

- **Nominations Open: Monday, March 2, 2015**; 75 days before the election. Mandatory Nominations Open notice by March 14th *[Nominations shall be requested not less than 60 days prior to the election.]
- **Community Event:** “Celebration of 30 years of Incorporation at La Ferme **Sunday March 15th.** Include push for Candidates.
- **Nominations Close: Thursday April 2** (38 days before the election.) Deadline Mandatory Minimum by April 14--in other words *[Must be received in writing at least 30 days prior to the election]
- **Candidates Statements & Biographical Sketch due** into the VMA Office: **Thursday April 9, 2015.** [No Charter requirements; date affects ability to publish information]
- **Formal Candidates' Introduction and Forum: Thursday April 23, 2015:** (Monthly Council Meeting in Village Office) Time: 7 PM (this represents a change in Council Meeting date)
- **Council Election:** Thursday, May 14, 2015: Council Election, Brookville Village Center 5 – 7:30 PM.

- **Annual Meeting: 7:30 PM** Thursday, May 14, 2015: Action on FY 2016 Budget and Tax rates, Election results.*[Elections and Annual Meeting shall take place by May 15].

Comments/discussion: None.

Motion to approve schedule: Alexander; 2nd: Fleming; Vote: All

RE-INTRODUCTION OF RESOLUTION 1-22-15: AN ORDINANCE TO AMEND MOTOR VEHICLE AND TRAFFIC LAWS IN VMA

The change made in the ordinance was to clarify the fines and penalties categories,

Attorney Bolt commented that timing is such that adoption would only be possible at the March Council Meeting, thus there will be several opportunities for public comment. Councilmember Cissna requested the Resolution be amended to allow parking in front of properties on either side and directly across the street from one's home. Discussion followed. It was noted that although the Code would allow parking "adjacent" to property lines (as provided in the County Code), the risk of residents being towed for parking on "confronting" streets appears remote, as enforcement would generally be at the direction of the Village office.

Motion to re-introduce: Cissna; 2nd Fleming; Vote: All in favor

PUBLIC COMMENT:

Frank Correl (Turner Lane): Requested provision be made for preventing the parking of a resident or non-resident's cars in front of another person's house for an extended period of time. Attorney Bolt commented that this Resolution makes certain parts of the County Code applicable that address such situation. Councilmember Cissna reinforced that this provision does not confer "ownership" of the parking spaces in front of one's home. .

Steve Trowern (Raymond Street): Mr. Trowern explained that the "no parking" sign across the street from his home had previously fallen off it's post and was relocated to a nearby telephone pole, which resulted in the loss of a parking space. He requested the sign be relocated to the original signpost to restore this parking space.

REPORT OF TREE COMMITTEE: This Report was prepared by Katherine Nelsen of the Montgomery County Planning Department and submitted for the record of this meeting:

"The interesting thing about this analysis is that although the losses are clearly visible and seem large, overall your community had not experienced a square footage loss in tree canopy. As an older subdivision, your neighborhood has an abundance of mature trees (52% canopy in 2009). These images show the capability of large trees to significantly increase the spread of their branches in a short amount of time, even to the point of compensation your significant losses due to new house building, power line clearing and storms. Your community will still want to address gap areas in the canopy with new tree plantings."

BUILDING ADMINISTRATOR'S REPORT-BEAL

New Permit

Requests/Information/Action/Acknowledgement

- **3505 Raymond Street.** Rear Addition planned. No Further information.
- **3529 Raymond Street.** Patio Construction; Proper application filed; Fees paid. Stop work lifted

Permitting Process Underway:

- **3414 Cummings Lane.** Plans received for garage, swimming pool; pool house and more. Next step is county.Cleared by Beal.

Permits Ready/ Issued:

- **3529 Raymond Street.** Patio and walled structure.

Construction Underway:

- **3513 Raymond Street.** Well underway. No issues
- **3521 Raymond Street.** Exterior roof lift. New front porch Underway. Permit fee resolved. Bank fee still do
- **3509 Shepherd St** –Rear addition should be ready for final clearance.
- **3510 Bradley Ln** –Still underway.
- **3514 Bradley-** Completed. Bond returned underway. WGL still to do street patch.
- **7309 Delfield-** Construction continues to be a challenge; complaints; awaiting geothermal; dry wells.
- **3219 Thornapple Street-** Construction well underway. No issues

- **7218 Chestnut Street**-Construction well underway. Closed in; No issues
- **3511 Raymond Street**-Renovations. Construction underway. Inside work.

On Hold:

- **3507 Raymond** Rear addition. Originally denied. Likely pursuing variance. No further action.

Completed: Processing still needed

- **3515 Shepherd St** - Completed. Bond needs to be returned
- **3514 Turner Ln.**– ROW License needed for Fence.
- **3518 Bradley Ln** –Bond still held. Possible additional work.

Project Closed:

- **3413 Bradley Ln** –completed. Bond returned.
- **7210 Delfield St** –Completed. Bond returned

- **3411 Thornapple St** –Rear addition. Completed. Bond returned

Problems:

- **101 Quincy Street**- Unpermitted driveway work

Other Municipal Support: General Management:

- *General building support:* Ongoing supervision and progress reporting of construction projects. Records of compliance with VMA requirements. (eg. tree protection) •Monitoring of MC DPS Reports. •Move in and out traffic and parking controls. •Construction parking controls and supervision.
- *Special projects:* •monthly streetlight review and reporting. •Storage unit/equipment management; •Monitor and report on Utility work. Assessment of storm water sewer problems on Quincy Street.

FINANCIAL MATTERS- REPORT FOR THE MONTH OF DECEMBER, 2014-FLEMING

	Actual Budget		Jul-Dec 14	YTD Budget	Annual Budget
Revenues	39,654.73	101,416	521,443.04	493,946	839,700
Expense	31,001.70	61,061	233,416.85	340,602	685,500
Designated Street/Sidewalk				500,000	500,000
Designated Street Lighting				500,000	500,000
Undesignated Fund				<u>1,064,249</u>	<u>1,064,249</u>
				2,404,851	2,749,749
Net Income	8,653.66	40,355	288,026.19	1,144	0.0

Comment: The Village's finances continue on course. Nevertheless, our revenues to date are \$132,809 below last year's at this date. Residents in reading the report must keep in mind that the Village has a small tax base. Consequently the ups and downs of the market and the economy, including significant private financial actions, do have dramatic effects on the Villages surpluses and deficits.

Action on Financial Report: Motion to approve: Alexander; Cissna; Vote: All in favor.

ACTION ON MINUTES OF DECEMBER 2014

Motion to accept amendments from Councilmember Cissna: Alexander; 2nd by Fleming. Vote: all in favor.

Motion to adopt minutes as amended: Alexander; Fleming; Vote: All in favor.

MANAGER'S REPORT: SPERLING

Community Policing Program: Continues to operate well. Sgt Picerno recommends bringing in an expert on traffic control (Sgt. Chapin) and management from the MCPD. Planning a meeting next week for a consultation.

Sanitation Services: All in order. Once-a-week yard waste pick up will continue throughout the winter. Holiday fund well supported-40% of residents participated. New young trainee on the household waste truck-Jovino.

Snow Plowing Services & Sidewalk Shoveling: Rolling Acres did a fine job with the recent plowing, salting and sanding work. They refilled the sand cans (previously performed by Peyton) and have agreed to help shovel Brookville Road sidewalks since our shoveling back-up also pulled out. Another

service provided never replied to our request for service. Very nice to be able to communicate by email and text messaging with the provider.

Utility Services:

WSSC-WATER: No water breaks here. Many elsewhere. No notice about Spring renewal project.

SEWER: Problem on Quincy Street has been resolved and is awaiting street and driveway restoration.

WASHINGTON GAS: Issue on Shepherd Street with gas smell/ fire department. Malfunctioning furnace. Astute technician recognized the odor and measured for Carbon monoxide and found dangerous levels.

PEPCO: No Issues. May be able to assist with our LED lights and offer discounts

PERMITTING ISSUANCES: Utility permit requests processed for new construction.

UTILITY ROAD REPAIRS: Location of repairs in the towns are numerous, although we do get notice of them every week.

Trees:

Pruning: Winter pruning has begun.

Streets Road repairs/ traffic issues:

Complaints (modest) on Thornapple. Officers have been kept informed. Sgt Chapin from County traffic control to consult with us next week. Parking on cross walks is resulting in warnings and tickets.

Street light update:

Holophane continues to work on redesigning the "guts" for the two lights that were installed on Bradley Lane. Pepco has a special program to help reduce the cost of LED's through their EMpower MD program that we may qualify for. Awaiting information from PEPCO.

Water Issues: Oxford Street

Dye tablets have been used to check the backyard cisterns and storm drains on Oxford Streets on 1/20/15. Confirmed which pipes are draining into storm drains and which ones are blocked. Question is now where do we go from here.

Community Events and Wellbeing:

Celebration of the 30th Anniversary of Incorporation is set for Sunday March 15th from 1-3 pm. We will be featured in the Chevy Chase Historical Society Newsletter. Proprietor Alain working on Menu. We need to develop guest list and recognitions.

Administrative Matters

- Holiday Fund and Toys for tots very successful.
- Request for composting bucket program received. Welcome any thoughts.
- Newsletter Completed.
- Election Committee Planning Completed.
- FY 2015 State Highway report filed on HUR reserves.
- Risk Policy still needs our changes; additional surety bond needs to be issued.

Other Topics touched on:

1. Recognitions for 30th Celebration
2. Learning Center for Municipal Employees (National Learning & Resource Center for Local Government
3. Invitation from Chevy Chase Village to Lecture series re: Sustainable Living-Assign rep.
4. Traffic Concerns -Thornapple Street-Nick willing to come talk to resident and to council
5. Slop Buckets-assign Councilmember to attend hearing in Chevy Chase Village
6. Convention

CONCLUDING REMARKS:

Steve Trowern (Raymond): Asked about making the recording of the Council meetings available. Attorney Bolt remarked that the recordings are public records. Mr. Trowern also asked if the Council has considered instituting permit parking. Councilmember Alexander confirmed that it had, but due to financial and administrative reasons, had decided against it.

Janine Trudeau (Bradley): Questioned why the Council was addressing the issue of compost buckets now. She also wished to note these programs can be quite complex to manage, no quick fix. Sperling explained that a resident had made an inquiry about composting.

9:45 PM Adjournment