

**Village of Martin's Additions
Council Meeting
April 16, 2009
7013 B Brookville Road, Chevy Chase, MD 20815
Minutes of Meeting**

COUNCIL MEMBERS AND VILLAGE REPRESENTATIVES PRESENT: Council Members: Noell Sottile, Richard Krajeck, Diane Everts, Catherine Gwin, **Village Manager:** Jean Sperling; **Attorney:** Ron Bolt; **Building Administrator:** Alan Beal.

Residents: Peggy Eastman-Bradley La.; Bill Catherwood-Shepherd St.; Lynn King-Thornapple St.; Sharon Hadary Coyle-Summit Ave; Chris Mueller-Shepherd St., Frank and Hanne Correl- Turner La; Susan Post-Turner La; Ted Stoddard-Turner La; Barbara Bares and Marc Efron-Raymond St.; Henry Metzger-Taylor St.; Alexis Mueller-Shepherd St.; Anita Difanis-Bradley La.; Susan Fattig-Melville Pl.; Ilene Shaw-Bradley La.; Jeff Stann-Raymond St.; Deb Schmal-Summit Ave; Mike Zielinski-Turner La.; Bill Lebovitch-Summit Ave.

Council Candidates: Lynn King, Thornapple St.; Chris Mueller-Shepherd St.

CALL TO ORDER 7:30PM by Chairman Krajeck

Police Report: Sgt. Dasilva.

Chevy Chase Village Police reported that the month of March was quiet in Martin's Additions. There were two calls, one an accidental 911 disconnect and an alarm on Oxford St. that was cleared. The County reported no calls in the Village. There have been no vehicle break-ins or vandalism this past month. Resident Lynn King asked if there were any reports of door bell ringing pranks in the neighborhood. Sgt.Dasilva replied that there had been none to his knowledge.

ACTION ON MINUTES-March 19, 2009 Meeting

Motion to Approve the Minutes: Councilmember Catherine Gwin; **2nd:** Councilmember Noell Sottile

Vote: All in favor

ACTION ON WORKING SESSION MINUTES March 30, 2009

Motion to Approve Minutes: Councilmember Diane Everts. **2nd:** Sottile **Vote:** All in favor.

CANDIDATES' FORUM

The 2009 Candidates Forum was opened by Elections Committee Chairman Frank Correl who introduced and welcomed the candidates and introduced Election's Committee member Sharon Hadary Coyle who led the presentations. He reminded residents that the election will be May 7th and that two of the Council incumbents, Diane Everts and Catherine Gwin, will not be running again. Two candidates have been nominated and their statements have been posted on the bulletin board and will be published in the Election Newsletter and placed on the website. They are repeated below.

Lynn King Statement:3409 Thornapple Street

Politics aside, one cannot help but be inspired by President Obama's dedication to energizing Americans to make a renewed commitment to serving our communities. This challenge compels me to be a candidate for Village Council.

My husband and I live in our first (and likely last) house at 3409 Thornapple Street. For over 10 years, Martin's Additions has offered me a wonderful place to live and raise my family. Now it is time for me to give back by helping our community meet current and future challenges.

Until March 2008, I was a Senior Policy Analyst at the National Association of REALTORS[®], responsible for advancing residential mortgage/finance legislation in the United States Congress. I ended my tenure at the REALTORS[®] to spend time with my [now] 4 year old son and actively participate in his co-operative preschool. Prior to working for the REALTORS[®], I was the Director of Legislative and Regulatory Affairs for the National Community Reinvestment Coalition, a 700+ membership organization dedicated to revitalizing underserved neighborhoods through equal access to fair credit.

I spent the last 10 years of my career speaking to Members of Congress and their staff on behalf of their constituents, mostly urging them to support or oppose a particular piece of legislation. I know how frustrating it can be when an important advocacy message seems to fall on deaf ears or worse, when promises made are not fulfilled.

On more than one occasion, I have felt a similar frustration when bringing issues before previous Village Councils only to be acknowledged and dismissed. It is discouraging when it happens on the Hill and it is more disheartening when it happens in your small community.

As a Village Council Member, I would work diligently to expand VMA resident participation and attendance at monthly meetings. I also feel strongly about the Council's need to collect the broader pulse of VMA residents on important matters. This can be accomplished using the Martin's Additions listserv, a mail-out survey or even the old-fashioned way – knocking on doors and calling your neighbors. I believe that representation of residents' opinions is paramount to equity in Village Council decision making.

Christoph Mueller: 3509 Shepherd Street

Our two children, Peter and Claire, my wife Lexy, and I have made Martin's Additions our home for the past six years. Lexy and I moved to Montgomery County 21 years ago.

I am a graduate of Georgetown University and have worked in technology and banking for the past 19 years. I spend a lot of time on a bicycle, an economical means of transportation which appeals to my frugality.

My objective as a council member is to listen to Village residents so I can actively and faithfully represent their goals and priorities in our legislative activity. I do not claim to have the 'right' ideas or priorities.

I believe that we should maximize our status as a municipality and our right to self governance. Martin's Additions is a wonderful place to live: great streets, sidewalks, and lighting; outstanding services, a healthy tree canopy; a quaint commercial center. Much of this arises from our Village self governance right. We are fortunate to hold this right and should work to preserve it. As a member of the Village Council, I will make the most of our unique status within Montgomery County.

Two additional areas, important to me personally, are effective management of our growth and infrastructure *and* optimizing our Village services.

Infrastructure and Growth

I support the idea of preserving our verdant environment and the historic look and feel of Martin's Additions. I will seek to understand the majority view on this issue while also preserving the rights and interests of all Village residents.

Village Services

The Village Council and staff have done a great job in managing day to day Village affairs. At this juncture I don't see the need to initiate great change; however, I am committed to ensuring delivery of the best services to Village residents. We should continue to expect the best from our Village service providers. We should also continue the practice of routinely competing these services in the marketplace to ensure best value.

An open conversation period ensued for each candidate, where more information was presented, followed by questions from Ms. Coyle and then from residents.

RESIDENT COMMENTS AND CONTRIBUTIONS: There were no additional comments.

INTRODUCTION OF OPEN MEETING ORDINANCE 4-09-1

Chairman Krajeck reintroduced the open meetings ordinance that was tabled at the last meeting just prior to the planned public hearing. At the direction last month of the Village Council, the Village attorneys re-drafted the Ordinance and it is presented here as Ordinance 4-09-1. Krajeck asked for any further discussion. There was none. It was understood that the public hearing for this ordinance could be held at the Annual Meeting on May 7th. Final action cannot be taken until 30 days after the introduction of the ordinance, but that does not prevent the public hearing from taking place. It can be voted on at the June meeting.

Motion to Introduce Ordinance 4-09-1 to amend Chapter 2 of the Village Code of Ordinances for the open meeting regulations: Councilmember Sottile; 2nd: Councilmember Everts. Vote: All in favor.

TREASURER'S REPORT FOR MARCH: Councilmember Catherin Gwin.

This month's treasurer's report is based on the budget adjustments made to the 2009 budget at the March 2009 Council meeting to take account of changes in both income and expenditures as agreed by the Council.

Income for the month of March was \$10,054, the largest sources of revenue being \$4,371 of highway user fees and \$4,334 of local income tax revenues. Expenses for the month totaled \$71,154; \$16,000 above the \$54,641 budgeted for the month, but still well within the YTD anticipated revenues. The largest expenditure category for March is "streets" (\$19,995), of which \$14,894 was for snow shoveling. The other two major expenditure categories are professional fees (\$17,050) and waste and recycling (\$12,928).

For the months July-March, income is \$594,552, or approximately 74% of the adjusted annual income of \$802,730, which primarily reflects \$177,450 more in the annual income tax rebate than anticipated in the original 2009 budget.

Expenses over the same nine-month period are \$388,187, or about 57% of the adjusted 2009 budgeted expenses of \$683,130. The budget amendment agreed to at the March meeting of the Council details the various adjustments made in expenditures; those changes are not detailed here. Overall, adjusted expenditures for the first nine months are about \$134,367 lower than the amended amount budgeted for this period and approximately \$185,000 less than the amended total budgeted for the full year.

Motion to Approve the Treasurer's Report: Councilmember Noell Sottile; 2nd: Everts. **Vote:** All in favor.

FY 2010 BUDGET and TAX RATE PROPOSAL

Chairman Krajeck explained that the Council had met at a Work Session on March 30 to review the initial draft budget developed for FY 2010 and to finalize decisions on priorities and programs for next year. Councilmember Gwin highlighted the main points related to higher income tax revenues projected for the current fiscal year and the drop off expected in FY 2010. The highlights of capital improvements planned for the coming year were reviewed, specifically the rebuilding of the sidewalk along Brookville Road, sidewalk replacement on Taylor Street, driveway apron repairs and a few other smaller road, right-of-way and sidewalk repairs. The operating budget includes funds to explore expanding the recycling program by offering larger covered recycling bins, monies for a street light assessment study and additional funds for tree maintenance to care for newly identified Village trees. There were no further issues that Council members wanted to address related to the budget.

The budget proposed for FY 2010 maintains the real property tax rate at the current level (\$.008 per \$100 of assessed value) and the personal property tax rate at \$.50 per \$100 for utilities and businesses.

Motion to accept the draft FY 2010 Budget as presented here, distribute it to the Village and present it at the annual meeting on May 7th, 2009: Councilmember Noell Sottile; 2nd: Gwin. **Vote:** All in favor.

LAND USE ORDINANCE 4-09-2 INTRODUCTION

Chairman Krajeck introduced the proposed changes in Building Regulations as contained in Ordinance 4-09-2, giving a summary of the history of their development. LUTF met for nearly a year, and made their recommendation to the Council at the February 2009 meeting; the Council had two working sessions in March to review the recommendations, and now have an ordinance ready for introduction. A public hearing can be scheduled while the County has their review period.

Motion to Introduce Ordinance 4-09-2, Residential Building Regulations for the Village of Martin's Additions: Councilmember Sottile; 2nd Gwin; **Vote:** All in favor.

Jeff Stann (Raymond) asked what the schedule will be for proceeding on the ordinance. Krajeck explained that the Council is looking at May 21st for a Public Hearing with Council action after that time, possibly in June. The ordinance must also be sent to the County Council for a 30-day comment period.

MANAGER'S REPORT:

- Jean introduced **Ms. Nicole Ventura**, who has attended the meeting to consider whether she is interested in a position with the Village taking the meeting minutes.
- **FY 2010 Draft Budget** was developed and is presented here.

- **Street Crack Sealing** has been completed on all streets. The weather proved to be a considerable problem because the streets have to be absolutely dry in order for the work to be completed, but we managed to work around most of the complications. The project could not have been completed without the help of Wayne Fowler, of Mid-Atlantic Inspections. No cars needed to be towed, although we did come very close on Bradley Lane.
- **Elections Event Underway.** All merchants have been contacted and everyone has agreed to be a part of the event again this year. We are going to add an Art Show for local artists that will be organized by a resident artist.
- **Request for use of office** for resident meeting (lecture about rain barrels) from resident Debbie Metzger during June. The manager asked for Council approval; the Council gave its clearance for this program to use the Village space.
- **Market Area Garden Plot Improvements** were suggested by resident Susan Post of Turner Lane who has offered to initiate planting improvements at market and all shopkeepers are excited at the prospects.
- **Emergency tree-down situation on Melville Place**—Pepco was required to bring the tree down below the power lines. Integrated Plant Care’s crews were here on an emergency basis Monday/Tuesday 3/30-3/31) to do the clean up.
- **Minimal wind damage 4/4**-Integrated here on a Saturday (tree on Shepherd).
- **Shred it Event jointly sponsored by Section 3, VMA and Section 5 is ready to roll 4/18**
- **Street project-** Bars on storm drains on Bradley \$1,500; sidewalk repair on Turner \$5,000, Driveway apron repairs and replacement will be performed over the next several weeks
- **Request of resident at 7201 Summit Avenue to have a 4” tree planted in the right-of-way and contribute the difference.** Information was sent to council explaining the request of a resident on Summit Avenue to have a larger than usual tree planted in the right-of-way in front of his home--the Village usually plants a 2-2 ½” caliper tree based on the recommendation of our arborist. The resident wanted a larger tree in the 4-5” range. Jean researched the practices of the surrounding jurisdictions and found that virtually no other jurisdiction allows such a contribution and the one town that did regretted doing so. Jean recommended that the Village either plant the usual size village tree or urge the resident to plant their own tree on their own property because she was concerned about the care of the tree and potentially blurred lines of ownership and responsibility.

Jeff Stann, a resident of Raymond Street and master professional landscaper added that the smaller trees take hold and grow at a much faster pace than a larger tree because of the difficulty of transplanting bigger trees. Within 5 years both trees would be the same size, thus there is really no real advantage to planning a larger tree—in fact it is riskier.

The Council agreed that the Village should continue to follow the advice of our arborist and that the tree planted at that site be the standard size tree the Village normally plants.

- **Reservations for MML Convention** have been made for Councilmember Noell Sottile and the Manager to attend this year’s convention in Ocean City.
- **A Swastika and curse words were painted on Long and Foster sign at Delfield and Taylor.** The manager had it immediately removed and called the Montgomery County Police Graffiti Unit about the incident.

CONSTRUCTION UPDATE: Alan Beal

The Village has received two building permit requests:

3402 Thornapple Street for a deck.

124 Quincy Street a two-story addition.

ADJOURNMENT: Motion: Councilmember Everts; **2nd:** Noell Sottile. **Vote:** All in favor