



VILLAGE OF MARTIN'S ADDITIONS
7013 Brookville Road (Second Floor, Suite B)
Chevy Chase, MD 20815-3263
Phone (301) 656-4112
www.martinsadditions.org

Agenda for Council Meeting
Thursday, June 23, 2022, 7:30 PM

The Council may entertain a motion in open session to enter into a closed session, in accordance with Section 3-305(b) of the Open Meetings Act (Maryland Code, General Provisions Article).

7:30 PM Call to Order: Kauders

7:31 PM Building Administrator's Report: Lohmeyer **(Pages 3-4)**

7:36 PM Opportunity for Council to Hear Residents' Comments: Kauders

7:46 PM Committee Updates: Kauders

7:51 PM Public hearing and Possible Adoption of Ordinance 2022-4-1 Ordinance To Create Staggered Terms for Ethics Committee Members **(Pages 5-6)**

8:06 PM Discussion and Possible Approval of Committee Guidelines **(Pages 7-9)**

8:21 Financial Matters, including Treasurer's Report: Alexander **(Page 10)**

8:26 PM Manager's Report: Anderegg **(Page 11)**

8:36 PM Opportunity for Council to Hear Residents' Comments: Kauders

8:41 PM Adjournment: Kauders

Virtual Meeting Information

Below is the information for those residents who wish to dial in remotely or video in to the Council meeting.

1. Dial-In Option

Call: 1 301 715 8592

When prompted, enter the Meeting ID: **883 3117 5094**# (you must enter the "#")

Passcode: **525784**

2. Web/Video Option:

a. Go to the Zoom meeting link:

<https://us02web.zoom.us/j/88331175094?pwd=OFNvZkFzbnA4c0ovdWI4KzA1Q2JjUT09>

b. It will take you to Zoom to download, which is free. Then the meeting will launch. You can view the meeting or just listen in and talk when prompted.

Meeting ID: **883 3117 5094**

Passcode: **525784**

Topic: VMA Council Meeting

Time: **June 23, 2022, 7:30 PM**

TO: The Council at the Village of Martin's Additions
FROM: Doug Lohmeyer
DATE OF MEMO: June 13, 2022
SUBJECT: Building Administrator's Report

3506 Bradley Lane.

Demolition and building permit applications were submitted to the Village office. The Village issued the building permit on Dec. 9, 2021. The Wall Check indicates the walls comply with the approved Site Plan and Village Code. Work is progressing.

7200 Delfield St.

The new homeowners propose to add a porch, with steps and a patio on the eastern side of the new house. The staff has met with homeowner and their designers but they have not submitted an application to the MCDPS or the Village.

120 Quincy St.

The homeowner submitted plans to the County and the Village for review. The application proposes to construct several additions at the side and rear of the existing house. MCDPS issued their building permit on Jan. 5, 2022. The Village issued their permits on Feb. 6, 2022. Exterior work has begun.

159 Quincy St.

The homeowners submitted an application to build a new deck at the rear of the existing house. The Village building permit was issued. The project appears to be nearing completion and MCDPS has not closed their building permit.

162 Quincy

The owners have submitted a building permit application to MCDPS on May 2nd. The contractor says they are only doing interior improvements and no exterior work is planned.

3500 Raymond St.

The homeowners are considering several additions to the existing house. They have not applied to the MCDPS or to the Village.

3511 Raymond St.

The homeowner plans to build a patio at the rear of the house and to enlarge the ex. walkway at the front of the house. A non-vegetative variance may be required for the front yard improvements. They have not submitted an application to the Village.

3504 Shepherd St.

The homeowner plans on constructing an addition at the rear of the ex. house. They have not submitted an application to the MCDPS or the Village.

7200 Summit Ave.

The homeowners submitted a Variance Application for additions to the existing house. The variance was approved by the Council on July 16, 2020. The MCDPS issued their permit on April 12th. The Village issued their building permit on April 26, 2022. Work has not begun yet.

3404 Turner St.

The applicants submitted an application for a variance of the Village's minimum side yard setbacks, so they can add a second floor to the existing, non-conforming house. The Village Council approved the variance on Sept. 23, 2021. The MCDPS issued their building permit on April 17, 2021. The Village has issued the building permit on Nov. 19, 2021.

3507 Turner St.

The homeowner plans to build a new addition at the rear of the existing house. The existing house is exempt from the Village Code. However, the addition must comply with the Code's minimum side yard setback. The Village approved the variance for the side yard setback on April 6, 2022. The applicant has not applied for a permit from the County or the Village.

Miscellaneous

The Village is investigating the drainage issues in Taylor St.

**The Village of Martin’s Additions
(Ethics Committee – Terms of Office)**

**ORDINANCE TO CREATE STAGGERED TERMS
FOR ETHICS COMMITTEE MEMBERS**

WHEREAS, Maryland Code, Local Government Article, Section 5-202, as amended, grants to the legislative body of every incorporated municipality in Maryland general power to pass such ordinances not contrary to the Constitution of Maryland, or the public general law, as deemed necessary in order to assure the good government of the municipality, to protect and preserve the municipality’s rights, property, and privileges, to preserve peace and good order, to secure persons and property from danger and destruction, and to protect the health, comfort and convenience of the citizens of the municipality;

WHEREAS, Section 501 of the Charter of the Village of Martin’s Additions authorizes the Village Council to pass such ordinances as it may deem necessary for the preservation of the property, rights, and privileges of the Village and its residents;

WHEREAS, after proper notice to the public, the Village Council introduced the following Ordinance in an open meeting conducted on the ____ day of _____, 2022;

WHEREAS, after proper notice to the public, the Council considered this Ordinance in public session assembled on the ____ day of _____, 2022; and

WHEREAS, upon consideration of the testimony and evidence presented at the public hearing, and the recommendation of the Village Ethics Committee, the Village Council finds that the foregoing Ordinance would assure the good government of the municipality, protect and preserve the municipality’s rights, property, and privileges, preserve peace and good order, secure persons and property from danger and destruction, and protect the health, comfort and convenience of the citizens of the Village of Martin’s Additions, and is necessary for the preservation of the property, rights, and privileges of the Village and its residents.

NOW, THEREFORE, the Village Council does hereby adopt the following Ordinance.

BE IT ORDAINED AND ORDERED, this ____ day of _____, 2022, by the Village Council, acting under and by virtue of the authority given it by the Maryland Code and the Charter of the Village of Martin’s Additions, that the Village Code is hereby amended as follows:

* * *

Section 2-101. Village Elections Committee and Ethics Committee

(a) There shall be a Village Elections Committee, which shall be composed of a minimum of three (3) members appointed by the Village Council. Members of the Elections Committee shall be qualified to vote in Village elections and shall not be members of the Village Council. The Elections Committee members shall serve until the end of the fiscal year in which they were appointed. The Elections Committee shall manage all Village elections as provided in Section 602 of the Charter of the Village of Martin's Additions.

(b) There shall be a Village Ethics Committee which shall be composed of a minimum of three (3) members appointed by the Village Council. Members of the Ethics Committee shall be qualified to vote in Village elections and shall not be members of the Village Council or the Elections Committee. The Ethics Committee members shall serve ~~until the end of the fiscal year in which they were appointed~~ **staggered** terms of **two (2) years**. **To initially establish the required staggering, or to maintain staggering after a vacancy, the Village Council in its discretion may appoint one or more members to serve one (1) year and/or one or more members to serve two (2) years.** The Ethics Committee shall have the following responsibilities:

(1) To provide advisory opinions to persons subject to the provisions of Chapter 4 of this Code as to its applicability; and

(2) To make determinations as authorized by Chapter 4 of this Code.

* * *

SECTION 2. AND BE IT FURTHER ORDAINED AND ORDERED, by the Council of the Village of Martin's Additions, acting under and by virtue of the aforementioned authority, that:

(1) If any part or provision of this ordinance is declared by a court of competent jurisdiction to be invalid, the part or provision held to be invalid shall not affect the validity of the ordinance as a whole or any remaining part thereof; and

(2) This Ordinance shall take effect on the _____ day of _____, 2022 (at least 20 days after adoption).

ATTEST:

THE VILLAGE OF MARTIN'S ADDITIONS

Katie Howard, Secretary

Andrew Kauders, Chair
Village Council

Bold Underline indicates new material
~~Strikethrough~~ indicates material deleted
* * * indicates material unchanged

**Village of Martin's Additions
Guidelines for Village Committees
(Draft 05/21/2022)**

The Village of Martin's Additions encourages resident participation on its various committees, which manage elections, oversee ethics requirements, and advise the Village Council on requested topics. The Village utilizes several types of committees.

Mandated committees: The Village Charter and Code of Ordinances establish committees to oversee elections and ethics.

Standing committees: The Council establishes standing committees to serve continuing functions; one example is the Community Engagement Committee, which plans and executes social events.

Ad-hoc committees: The Council may also establish temporary advisory committees dedicated to a limited objective for a specified duration. Past ones have advised on the Village building code, storm water management, trees, walkability, and safety.

The Council has adopted these guidelines to clarify the role of Village committees, ensure transparency, and promote best practices. Maryland and Village laws require many of these procedures whereas others stem from accumulated experience; thus, the Village Council may alter these guidelines in the future.

Mission statement: The Council provides committees a mission statement, usually by resolution. It describes reasons for establishing the committee; lists specific questions and goals; and specifies the time expected for the committee's work.

Appointments: Subject to the requirements of the Charter and Code, the Council specifies the number of members, terms of office, and criteria for membership. All Village residents are encouraged to apply for committee membership, which the Village solicits by open calls for volunteers. The Council appoints members by a recorded vote in open meeting. The appointment process considers various factors: keeping committees to a reasonable size; ensuring that Village-wide views are represented; and including relevant expertise and a diversity of experiences. Applicants may be requested to include a brief statement about why they would like to serve on that body and any special expertise that may be valuable. Committee members normally serve through the end of the Village fiscal year (June 30) in which they are appointed, except Ethics Committee members who serve staggered two-year terms. Members may resign from a committee at any time.

Swearing in and training: Following their appointment and prior to taking part in committee business, committee members take the prescribed oath of office and complete the Village's conflict of interest form. Committee members will be familiarized with relevant laws, including conflicts of interest, financial disclosures, open meetings, and Village regulations, policies, and procedures. In compliance with the oath of office and the Village Code, members must execute their duties with strict impartiality.¹ As required by Maryland's Open Meetings Act, at least one member of each Committee must complete the online training offered by the Open Meetings Compliance Board. However, the Council strongly encourages all members to complete the training, available at:
https://www.igrs.umd.edu/VLC/OMA/class_oma_title.php.

¹ The oath of service and conflict-of-interest questionnaire are on the Village website:
[https://www.martinsadditions.org/No.%202019-10-2%20\(oath%20and%20conflicts\).pdf](https://www.martinsadditions.org/No.%202019-10-2%20(oath%20and%20conflicts).pdf)

Liaison with Council and Manager: The Village Council appoints one of its members as a liaison to each committee. Council members whose term expires in the current year should not serve as liaison to the election committee. The liaison ordinarily attends all meetings but is not a voting member and acts primarily as an observer and advisor, facilitating communication between the committee and the Council, and ensuring that the committee meets its responsibilities (e.g., that it adheres to the mission statement, and complies with the Open Meetings Act). The Council liaison may also organize the first meeting of a new committee to initiate routine operations.

The Village Manager coordinates meetings, notifies the public, acts as support, maintains the public record of meetings, posts the minutes, facilitates contracts, and updates the Village website with Committee information. The Manager is not responsible for taking notes, drafting minutes, or acting in the stead of the committee, Council, or Council liaison.

Operations: Members should schedule their first meeting soon after their appointment to establish plans and procedures for the coming year. Committees usually appoint their own officers at their first meeting; officers include a chair who presides over meetings, a vice-chair who presides in the absence of the chair, and a secretary who is responsible for minutes. From time to time when allowed by the Charter and Code, the Council may appoint either a Council member or another resident as chair.² The secretary may be a rotating position with members alternating in the job of taking minutes.

Committee chairs typically set meeting agendas with the input of their committee members. They assure that each meeting is properly noticed; that the public is welcomed to attend and have an opportunity to speak; that meeting minutes are prepared, approved by a majority of members, and posted; and that committee reports and recommendations are written, reviewed, approved by a committee majority, and presented to the Council.

The Village Council provides an annual budget for routine committee operations. The Council must approve significant additional expenditures. If committees desire legal advice, the request must be approved by a committee majority before submittal to the Manager.

It is expected that appointees prepare in advance for meetings, commit to regular attendance, and participate in the production of any required work. Committee members should not present themselves as spokespersons for the Village unless specifically directed to do so by the Council. The Village does not tolerate harassment, intimidation, verbal abuse, or discrimination. Members will ensure fair and equal treatment in all matters coming before the committee.

Meetings: A majority of committee members constitutes a quorum for the transaction of business. A majority vote of those present at any meeting, but not less than the number necessary for a quorum, is sufficient for any official action taken by the committee. Committees require majority affirmation of meeting minutes and reports sent to the Village Council in the name of the Committee; minority reports may also be submitted. Meetings must be conducted in compliance with the Maryland Open Meetings Act and not stray from the committee's mission. Committee meetings may take place in the Village office or other convenient place accessible to the public; meetings may also be conducted remotely if the open meetings requirements are observed. Public notice and an agenda must be issued prior to the holding of a meeting that is subject to the Open Meetings Act.

The Open Meetings Act specifies that meetings are either open or closed:

² For example, the Council selected sitting members to chair the Storm Water Task Force and Tree Committee.

Open: meetings that engage in legislative activities (policy making), quasi-legislative (contracting and budgeting), or advisory (forming a recommendation to provide to the Council). Open meetings are the usual type for most committee activities.

Closed: meeting to discuss something confidential that falls within the committee's scope and the fifteen exceptions included in the Act (e.g., hearing legal advice or considering an ethics complaint).

Committees should promptly prepare meeting minutes that are brief and reflect committee decisions and recommendations. Timely posting of minutes may necessitate informal approval by email or other means, formalized at the next Committee opportunity.

Email policy: Committees must comply with the Maryland Public Information Act; email regarding committee business between committee members or residents is part of the official record and retained by the Village. The Election and Ethics committees have a Village-issued email account. Other committees ensure compliance through coordination with the Manager.

DRAFT

**Village of Martin's Additions
Financial Report for May 2022
Arthur Alexander, Treasurer
June 23, 2022**

	<u>Actual</u>	<u>Budgeted</u>
July 2021-May 2022		
Revenues (regular)	\$1,085,779	793,300
Expenses (excluding capital projects)	590,847	756,594
Net Income (regular revenues minus current expenses)	494,933	36,706
Capital investment expenses	\$35,800	
Federal grant: American Rescue Plan	489,181	0
Investment reserves (less expenditures)	1,500,000	
Emergency reserves	1,000,000	
Current assets less reserves shown above:	\$ 1,719,587	

In May 2022, we transferred \$60,000 from the Village's savings account in the Maryland Local Government Investment Pool (MLGIP) to the checking account to cover expenses. We plan to transfer \$55,000 in June 2022.

The Village fiscal year ends June 30, just a few weeks from now. Connoisseurs of Martin's Additions' financial reports know that it is time for budget revisions. The Village code stipulates: "No expenditure may be made unless funds therefore have been properly appropriated." However, almost all the individual budget accounts are spending below the budgeted amounts through May. The one exception is actually a happy one; the Village tree program that encourages households to plant trees on their property is running ahead of budget. More trees are a good thing, even if it is over-budget.

Despite the good news about our high revenues and controlled expenditures, a warning is in order. The nation's economy may be headed for a recession and stock market prices are not looking good at the moment. Village revenues from the state income tax depend disproportionately on capital gains and losses. Our current surplus and reserves would be essential in an economic downturn.

From: Niles Anderegg, Village Manager
To: Village Council
Subject: Village Office Update
Date:6/21/2022

Overview

The Village Office provided support to the Election, Ethics, and Community Engagement Committees and the Public Safety Task Force. This included supporting the Election Committee during the ballot counting event and assisting the Community Engagement Committee with the 4th of July event. In addition, the Office is planning for a shredding event with Section 3 and Section 5 (the scheduling of which has been delayed due to some difficulty finding a vendor) as well as planning the volunteer appreciation event. Lastly, I attended the Maryland Municipal League conference along with Councilmember Howard.

Village Resident Directory

The Village Office is currently updating the Village Directory to release a new version targeted for August 1st. All residents should have received an email asking their permission for their information to be included in the Directory and confirming what information they would like included in the directory. If you have not already done so, please respond to this email by close of business Friday, June 24.

Office Improvements

The Village Office continues to look at ways to improve services for the Village. This includes refreshing the Village website which will include updated features such as a new agenda system and converting more of our forms to web forms that are more easily accessible and can be filled out by residents on the website. Other technological improvements under consideration include a software management system that could be used for our permits and other updated communications systems such as text messaging through Constant Contact.

Walkability Improvements

The Village has been in conversation with the State of Maryland regarding improvements to Brookville Road. I talked to both the Division Planning Chief for SHA and the Deputy Secretary of Transportation regarding this project and received positive feedback.

Utilities

Washington Gas is continuing some work in the Village including testing gas lines on Taylor Street. WSSC is continuing its work on the water main replacement on Brookville Road in Section 3 and Section 5 but some delays may occur as they run into supply chain issues. This project is expected to take several months to complete. The latest update on this project is that work will begin again next week.