

Council Meeting Agenda – March 21, 2024

VIA ZOOM CONFERENCE CALL AND IN-PERSON

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).

- Call to Order: Alexander
- Weather Report: Keith Allen
- Opportunity for Council to Hear Residents' Comments: TBD
- Approve February 15 Council Meeting Minutes (Page 2)
- Committee Reports (Page 10)
- Discussion and Possible Introduction of Fiscal Year (FY) 2025 Budget Ordinance and Tax Rates Resolution (Page 11)
- Treasurer's Report: Blander (Page 19)
- Manager's Report: Silliman (Page 22)
- Opportunity for Council to Hear Residents' Comments: TBD
- The Council May Entertain a Motion to go into Closed Session
- Adjournment: Alexander

Join Zoom Meeting

<https://us02web.zoom.us/j/88331175094?pwd=OFNvZkFzbnA4coovdWI4KzA1Q2JjUT09>

Meeting ID: 883 3117 5094

Passcode: 525784 One tap mobile: (301) 715-8592

Council Meeting Minutes – February 15, 2023

VIA ZOOM CONFERENCE CALL AND IN-PERSON

The audio recording for this meeting is available on the [Village website](#).

Council Members Present: Andrew Kauders; Jeff Blander; Susan Fattig; Arthur Alexander; Katie Howard

Other Attendees Include: Village Manager: Michael Silliman; Village Attorney: Ron Bolt; and residents Marty Langelan, Paul Weller, Paula Desio, Lynn Welle, Alex Ghesquiere, Sally Maran, John Sharrow, Keith Allen, and Naomi Naierman.

7:30 PM Call to Order: Alexander

7:31 PM Weather Report: Keith Allen

Keith Allen reported that we are expecting a snowstorm tomorrow up to 5 or 6 inches, but after we are expecting the sun and warmer weather ahead.

7:32 PM Public hearing and possible adoption of Ordinance No. 2023-9-1 to Amend the Ethics Ordinance to Expand the Definition of “Official” and Indemnification to Include Members of All Committees and Ad Hoc Committees Appointed by the Council

Alex Ghesquiere commented on an email sent to the private Village listserv regarding the Ethics amendment, which he is unable to respond to on the listserv. Alex said the objections to the ethics amendment are misinformation and personally perplexing as the maximum the Ethics Committee could do is recommend to the Village Council to remove someone from their Village position.

Andrew Kauders expressed his support and agreed with Alex’s comment.

Katie Howard said she was perplexed by the return of this ordinance and how and why we’re still talking about the Ethics code.

Naomi Naierman commented that the results of the survey should be respected.

Marty Langelan said this ordinance has been like a zombie, it keeps coming back. She agreed with what Naomi said and added that the ethics committee is untrained and recommended instead hiring an outside professional independent investigator if there are complaints about volunteers.

Andrew Kauders clarified that this ordinance is already in place and that he feels comfortable serving with this process in place.

Alex commented that he does not believe that the amendments will impose “legal liability” on volunteers. Ron Bolt agreed with this comment. The sanction for a violation

is recusal or removal and enforcement appears to be remote, as we've had only a couple complaints in decades and no complaints since the edit has been proposed.

Marty asked why this is coming up now? She added there was not a public forum this time around and that this is not benign as some Council members make it sound. The punishment so to speak is not just being removed from a volunteer position but being put through this machine process.

Jeff Blander commented on including an indemnification clause in this ordinance. Jeff further noted that this adoption vote has been pushed back several months to give time for public comment in the survey.

Susan moved to adopt Ordinance No. 2023-9-1 and Arthur seconded. Andrew, Arthur, and Susan voted in favor. Katie voted against and Jeff voted present.

8:25 PM Approve January 18 Council Meeting Minutes

Susan moved to accept the minutes. Arthur seconded. The minutes passed unanimously.

8:26 PM Committee Reports

Election Committee reported that tracking envelopes is proving difficult, and they are investigating alternative tracking methods. Their written report was included in the meeting packet. They asked for the Council's approval of a one-page declaration of eligibility voter form, which was reviewed by counsel. The Council approved the voter form unanimously.

Community Engagement Committee reminded everyone about the Community Brunch event on March 3rd from 1 to 4PM at the La Ferme Restaurant.

Ground and Stormwater Taskforce reported a \$600 fee for an upcoming seminar on stormwater management by Clark Azar.

Antisemitism Awareness and Education Taskforce reported their next meeting is next week. The American Jewish Committee will share their perspective of the webinar that was held and the feedback they have received.

8:37 PM Discussion #2: Ordinance Development Process and Draft Guideline: Blander

Jeff shared additional thoughts on a step-by-step process for drafting, researching, and public discussion prior to enacting a policy, ordinance, or regulation. A PowerPoint slide was shared and will be attached to these minutes.

8:49 PM Manager's Report: Silliman

Michael delivered his report, which is in the meeting packet.

Treasurer's Report: Blander

Jeff delivered his report, which is in the meeting packet.

9:04 PM Opportunity for Council to Hear Residents' Comments:

Marty Langelan thanked Michael for putting up all permits on the Village office wall.

Marty also asked about parking enforcement in the Village. Village Manager Michael Silliman clarified that the Village does not have parking enforcement. The Village office asks people to move their cars on a regular basis, but residents are currently directed to call the Montgomery County Police non-emergency number to report illegal parking.

Paula Desio commented that she has observed painted curbs working better than other signage at communicating no parking to drivers.

9:13PM Adjournment: Alexander

Ordinance Process Discussion #2

Council Member Blander
Monthly Meeting
February 15th 2024

Ordinance Discussion - #2 – Draft Policy¹

- **Step #1:** Council discusses an issue in openly, after placing it on a meeting agenda or ad hoc (Meeting #1).
- **Step #2:** As appropriate, after discussion during the public meeting, the Council administratively directs a member, village staff, a committee (standing or ad hoc), or counsel to further research the issue, possible need for code (or charter) amendments and alternatives non-legislative solutions.
- **Step #3:** Council discusses the findings of the research and alternatives at a second meeting, including inputs from the VMA Annual Survey. The council can proceed to resolve the issue administratively or direct counsel to prepare a draft ordinance (Meeting #2).
- **Step #4:** Council introduces the draft at a third open meeting and provides notice of introduction and notice of the public hearing date to the residents (per Charter Sec. 502(b)). The council should provide a written summary to accompany notice of introduction of an ordinance. This summary can be included in a newsletter or some other form of notice. (Meeting #3).
- **Step #5:** If requested by residents separate stand alone public listening session might be scheduled
- **Step #6:** Council has a public hearing on the draft at a fourth open meeting, and takes action (consideration for adoption) on the draft, after considering the public comments. (Meeting #4).

1 – Please see references to Council Member Alexander and Attorney Bolt public suggests from Fall 2020 and Spring 2021

The Go Forward - Applications and Standards

Examples – 2023-2024 Amendments for Ethics & Water Retention Devices

- 1) **Compliance and enforcement:** Steps 1 – 3 & 4 (in red) were not part of the process for the 2023-2024 new code amendments for ethics and construction of water retention devices. In the case of water retention, the drafting of the amendment was initiated in good faith by the VMA manager after an open meeting discussion by council members on the issue, but without a formal council directive to initiate drafting of an ordinance.
- 2) **Fairness and equitable accommodation in scheduling of votes:** Scheduling of votes for introduction and adoption should be done so to ensure ALL council members are made aware they are being conducted. As needed, provide opportunities or dial-in in case in-person voting is not possible for all members. For the Ethics Amendment, the communication on conducting votes were conflicting (introduction vote for Ethics – Sept 2023), leading some council members on travel to miss a key vote. In other circumstances (adoption vote for Ethics – Feb 2024), agendas were purposefully modified to accommodated some council member travel schedules to participant on a vote.
- 3) **Public Working sessions and transparency:** The design of the VMA annual survey and development of new items/questions should be inclusive and ensure a transparent process for including input from residents, committee members, and all council members. A public working session should be scheduled. This did not occur in 2023 – 2024 and skewed the final design of key questions related to specific ordinance topics and amendments.
- 4) **Reasonable standard for notice, both the public and council members:** For Steps #4 and #6, provide a 'reasonable' time window of no less that 5 business day, unless there is an administrative "emergency". Either declared by majority council vote (quorum) or defined by national ,state, and county law. For the 2024 Ethics amendment, council members and VMA residents were informed by the Chair and VMA office only 1 day prior to a public meeting that an introduction would be scheduled (Sept. 2023).
- 5) **Access to legal advisor:** All council members are afforded opportunity to engage attorney advisors during the ordinance development process. At this time there is a non-codified rule which allows one council member (Chair) and staff (Village Manager) to consult directly with attorney advisors, while other council members require a quorum vote or their approval.

**Reference #1: February 2021 Council Meeting
Draft Policy to Require Explanations of Proposed Ordinances
As Shared by Attorney Bolt**

The minimum process required by the Charter Sec. 502 is generally as follows:

- Council discusses an issue (typically, after placing it on a meeting agenda), and directs counsel to prepare a draft ordinance.
- Council discusses the draft at a second meeting.
- Council introduces the draft at a third open meeting and provides notice of introduction and notice of the hearing date to the residents (per Charter Sec. 502(b));
- Council has a public hearing on the draft at a fourth open meeting, and takes action on the draft, after considering the public comments.
- Typically 3 or 4-month process, or longer, based on how much discussion and amending takes place.
- The Council can do more than the minimum required.
- It is common for a written summary to accompany notice of introduction of an ordinance. Otherwise, the required “notice” is not very helpful. This summary is often included in a newsletter or some other form of notice.

Reference # 2: Policy to Require Explanations of Proposed Ordinances *Feb 2021 Presented by Council Member Alexander*

Proposed ordinances shall be accompanied by an explanation of the need for the ordinance, arguments against the proposal (if any), and alternative means for accomplishing the ordinance's goals (if any). The explanation should be updated as necessary by including relevant additional arguments, information, research of approaches taken by nearby municipalities as well as opinions arising from subsequent discussions, VMA resident listening forums, and reviews.

Election Committee Report for the March 21, 2024, Council Meeting

The election process is on track. The Committee has posted the Election Notices, articles in the VMA newsletter, and regular election updates in the VMA Weekly Wrap-Ups.

The due date for candidates to file is this coming Saturday, March 23. Once we have the final list of candidates, the Committee expects to have the official VMA election information packet ready for printing by Monday or Tuesday, March 25-26. Michael has decided to do the printing and mailing in-house. Per the VMA regulations, the election info packet will need to be mailed by April 6.

Meanwhile, the Committee is continuing to work with the voter roll contractor, Julian Lamphear, to verify and update the voter roll for 2024. To date, the contractor has confirmed about 550 of the voters who were on the voter roll last year, and identified an initial list of 77 people who do not appear to be current VMA residents. The VMA election regulations require due process and a written notice before anyone is removed from the list of “qualified voters.” The Committee prepared the notification letter, Michael did the mail-merge and printing, and the Committee and Michael worked together to stuff the envelopes and send the required written notifications to those 77 people. The contractor is continuing to check all available data sources to confirm the status of the rest of the names on the 2023 voter roll. The Committee has enlisted the aid of the street captains to help identify some of the current residents; Michael is assisting with the move-in/move out data from the Village Office; and the data from the Committee’s on-line voter-verification survey has been very helpful.

The Committee is also working with the mail-vote contractor, Electec, to prepare the ballot packets to be mailed to the VMA voters in late April. Marty and Paul corrected the errors on Electec’s sample ballot envelopes. The Committee will check the entire Electec packet, including the ballot format, once the list of candidates is complete.

Re: The postal tracking issue: The VMA regulations require postal tracking on the ballot envelopes. Electec said that they no longer have the subcontractor who did that, and that it would cost an additional \$4,000 to do it. The Committee researched alternatives and found a way to do it via “letter-track” for about \$250 (about 20 cents an envelope). At the Committee’s request, the Electec staff did a small test of the “letter-track” postal-tracking system, and reported that the test worked well.

REQUEST FOR COUNCIL ACTION: The Committee requests the Council to authorize us to use the “letter-track” system for Electec to provide postal tracking on the VMA ballot-return envelopes.

We appreciate the Council’s support for the election process, and the very efficient VMA staff assistance from Michael. We are submitting this Committee Report for the packet for the March 2024 Council meeting.

Respectfully submitted by the 2024 Election Committee, for attachment to the March 21, 2024, Council meeting minutes posted on the Village website.

Discussion of Fiscal Year 2025 Budget for the Village of Martin's Additions
Dr. Jeff Blander, Treasurer
March 21st, 2024

Since the open working meeting of the FY2025 budget on Thursday March 14th, residents, staff, and others have offered suggestions as well as commented on areas of particular concern.

Highlights from those discussions include ideas for:

- Addressing flooding issues and support needed technical engineering surveys
- Capital projects for improving VMA infrastructure
- Extending aging in place, composting, and snow shovel pilot programs
- Hosting additional community events for the upcoming 40th anniversary
- Improving traffic safety and walkability through novel pilot initiatives
- Maximize current police presence and ways to attend to increasing trends of petty theft and break-ins in nearby municipalities that could affect VMA residents
- New information technology platforms for improving communications with residents
- Suggested administrative cost savings
- Technical expert review of the building code to maintain VMA character

Council Chair Alexander, Manager Michael Silliman, and I will continue to compile these suggestions. Some of which are summarized below. The Village charter requires a Council-approved budget by May 15 authorizing expenditures for the next fiscal year. The Council will meet in early May to vote on the final budget.

Revenue: VMA expects based upon projected interest rates to accrue over approximately \$200,000 in interest from our reserves in 2025.

American Rescue Plan Act (ARPA): The Village has until the end of 2024 to allocate the more than \$800,000 ARPA funds received from the federal government. Allocation can be accomplished by noting in the budget any government service funded with ARPA money. In the attached draft budget, such activities are marked by three asterisks (***) with a descriptive note at the end of the budget. We must allocate all the ARPA funds in FY24 and FY25 and track these expenditures accordingly. **At this time approximately \$500,000 in ARPA funds remain to be allocated.** The following items could be paid for with ARPA funds as they represent large and consistent Village expenditures:

- 5110 Managerial & Office Salaries: \$157,400
- 5322 Street Cleaning: \$35,000
- 5410 Waste Collection & Recycling: \$146,000
- Infrastructure and other maintenance projects: TBD
- Storm Water Committee Technical Survey: TBD

Real Property Tax: The current tax rate is \$0.002 per \$100 of assessed value, which was lowered in 2024 from \$0.005. Due to concerns that reducing the rate to “zero” would jeopardize our revenues from County Revenue Sharing, we lowered the real property tax to match the lowest in the area at that time. No new rates are proposed at this time.

Several residents have inquired about a tax rebate from current reserves. These ideas continue to be explored for their feasibility and legality as well as impact on the overall fiscal health of VMA net positions in the near & longer terms.

Increased Expenditures:

- 5065, 5070: \$4,000 increase in anticipated phone and IT support.
- 5516: \$10,000 increase for the VMA's popular tree planting program.
- 5322: \$10,000 increase to reflect increasing vendor costs for Street cleaning
- 5520: \$6,500 increase to host more community events like the brunch at La Ferme.
- Community Engagement items of \$3,000 in anticipation of the VMA 40th year anniversary.

Cost Savings:

- 5420 Leaf Bag costs are expected to be \$12,000 less, due to measures taken by VMA staff.

Additional services: We propose extending several programs and areas of office support under way, for consideration by the community and Council.

1. Composting: Currently, 90 households privately subscribe for composting services. We expect over time about one third of households, or 100 homes, to opt into this composting program for an annual cost to the Village of \$22,800.
2. Sidewalk snow shoveling: Our snow plowing contractor estimates \$15,000 could cover for all Village Sidewalks due to new and improved machinery.
3. Consulting support: The capital improvement projects planned for the coming year will involve considerable coordination with the state, county, and utilities. We propose creating a new budget item called "Management Special Projects Consultant" for \$50,000. This budget item reallocates \$40,150 from 2024FY Managerial Salaries and Benefits categories for a part-time employee.
4. Senior support: Neither the Village nor the county helps older people requiring assistance for medical appointments, prescription pickups, or social services. Rather, the county relies on a network of "senior villages" that the county supports. Based upon the success and uptake of the current pilot program (N=7) we propose an extension and increase of \$4,000 (\$10,000 Total). Adding funds will cover all VMA memberships (N=24) to encourage residents' aging in place.

Budget	FY24 Budget	FY25 Proposal	Change (\$)	Change (%)	% Total	ARPA-Funded
Revenues						
4010 · Permit Fees	\$ 15,000	\$ 15,000	\$ -	0%	1.33%	
4020 · Cable TV Franchise Fees	\$ 11,000	\$ 11,000	\$ -	0%	0.97%	
4040 · County Revenue Sharing	\$ 50,393	\$ 50,393	\$ -	0%	4.45%	
4050 · Highway Users Fees	\$ 30,000	\$ 40,000	\$ 10,000.00	33%	3.54%	
4060 · Income Tax	\$ 750,000	\$ 750,000	\$ -	0%	66.29%	
4090 · Real Property Tax	\$ 6,000	\$ 40,000	\$ 34,000.00	567%	3.54%	
4095 · Utility Property Tax	\$ 15,000	\$ 15,000	\$ -	0%	1.33%	
4100 · Holiday Fund	\$ 9,000	\$ 10,000	\$ 1,000.00	11%	0.88%	
4110 · Interest	\$ 80,000	\$ 200,000	\$ 120,000.00	150%	17.68%	
Total income:	\$ 966,393	\$ 1,131,393	\$ 165,000.00	17%	100.00%	
Expenditures						
5010 · Office Expenses	\$ 15,000	\$ 15,000	\$ -	0%	1.58%	
#### · Community Engagement Items		\$ 3,000			0.32%	
5025 · Office Furniture & Equipment	\$ 2,000	\$ 2,000	\$ -	0%	0.21%	
5030 · Insurance	\$ 8,000	\$ 8,000	\$ -	0%	0.85%	***
5040 · Printing & Mailing	\$ 2,000	\$ 2,000	\$ -	0%	0.21%	
5050 · Dues & Subscriptions/Conference	\$ 10,000	\$ 10,000	\$ -	0%	1.06%	
5060 · Office Lease	\$ 32,000	\$ 32,000	\$ -	0%	3.38%	***
5065 · Telephone	\$ 3,500	\$ 4,500	\$ 1,000.00	29%	0.48%	***
5070 · IT	\$ 15,000	\$ 18,000	\$ 3,000.00	20%	1.90%	
5080 · Holiday Fund	\$ 9,000	\$ 10,000	\$ 1,000.00	11%	1.06%	
5110 · Managerial & Office Salaries	\$ 194,000	\$ 157,500	\$ (36,500.00)	-19%	16.64%	***
5120 · Payroll Taxes & Benefits	\$ 19,400	\$ 15,750	\$ (3,650)	-19%	1.66%	***
5130 · Police salaries	\$ 40,000	\$ 40,000	\$ -	0%	4.23%	***
5135 · Police Payroll taxes	\$ 4,000	\$ 4,000	\$ -	0%	0.42%	***
5210 · Accounting & Auditing	\$ 17,000	\$ 17,000	\$ -	0%	1.80%	
5220 · Building & Permitting	\$ 86,000	\$ 86,000	\$ -	0%	9.09%	***
5230 · Legal	\$ 55,000	\$ 55,000	\$ -	0%	5.81%	***
#### · Management Special Projects Consultant		\$ 50,000	\$ 50,000		5.28%	***
5244 · Traffic Engineering	\$ 5,000	\$ 5,000	\$ -	0%	0.53%	***
5247 · GIS Update	\$ 5,000	\$ 5,000	\$ -	0%	0.53%	***
5310 · Street Lighting - PEPCO	\$ 4,000	\$ 4,000	\$ -	0%	0.42%	
5322 · Street Cleaning	\$ 25,000	\$ 35,000	\$ 10,000	40%	3.70%	***
5324 · Street Maintenance - Other	\$ 10,000	\$ 10,000	\$ -	0%	1.06%	***
5351 · Snow Removal - Plowing	\$ 30,000	\$ 30,000	\$ -	0%	3.17%	***
5352 · Sidewalk Snow Shoveling	\$ 15,000	\$ 15,000	\$ -	0%	1.58%	***
5410 · Waste Collection & Recycling	\$ 146,000	\$ 146,000	\$ -	0%	15.42%	***
5411 · Composting	\$ 22,800	\$ 22,800	\$ -	0%	2.41%	***
5420 · Leaf Bags	\$ 15,000	\$ 3,000	\$ (12,000)	-80%	0.32%	
5425 · Recycling Bins	\$ 1,000	\$ 1,000	\$ -	0%	0.11%	
5510 · Tree Maintenance	\$ 30,000	\$ 30,000	\$ -	0%	3.17%	***
5516 · Tree Planting Initiatives Prog.	\$ 15,000	\$ 25,000	\$ 10,000	67%	2.64%	***

5518 - Right-of-Way Landscaping	\$	10,000	\$	10,000	\$	-	0%	1.06%	***
5521 - Community Events (Elections)	\$	10,000	\$	10,000	\$	-	0%	1.06%	
5520 - Community Events (Other)	\$	48,500	\$	55,000	\$	6,500	13%	5.81%	
5522 - Aging in Place	\$	6,000	\$	10,000	\$	4,000	67%	1.06%	***
Total Current Expenses	\$	910,200	\$	946,550	\$	36,350	4%	100.00%	
Net (revenues – current expenses)	\$	56,193	\$	184,843	\$	128,650	229%		
Designated Reserves									
5805 - Designated - Walkability	\$	500,000	\$	500,000	\$	-	0%		***
5810 - Designated - Street	\$	500,000	\$	500,000	\$	-	0%		***
5814 - Designated - Capital Projects	\$	500,000	\$	500,000	\$	-	0%		***
5820 - Designated - Audit Rec. Reserve	\$	1,000,000	\$	1,000,000	\$	-	0%		
Total Reserves	\$	2,500,000	\$	2,500,000	\$	-	0%		

*** This line item may be funded with ARPA funds

Ordinance No.: 2024-1
Introduced: 3-21-2024
Adopted:
Effective Date: July 1, 2024

THE VILLAGE OF MARTIN'S ADDITIONS

SUBJECT: AN ORDINANCE TO ADOPT A BUDGET FOR FISCAL YEAR
JULY 1, 2024 TO JUNE 30, 2025.

WHEREAS, Local Government Article, Section 5-202 of the Maryland Code grants to the legislative body of every incorporated municipality in Maryland, including the Village of Martin's Additions, general power to pass such ordinances not contrary to the Constitution of Maryland, or public general law, as they may deem 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, Maryland Code, Local Government Article, Section 5-205, as amended, authorizes the legislative body of each municipal corporation in the State of Maryland to spend money for any public purpose and to affect the safety, health, and general welfare of the municipality and its occupants;

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, the Village Council introduced the following Ordinance in public session assembled on the 21st day of March, 2024;

WHEREAS, the Village Council, after proper notice to the public, considered the following Ordinance at a public hearing held on the 9th day of May, 2024;

WHEREAS, prior to adopting this Ordinance, the Village Council held a public meeting on the 9th day of May, 2024 to adopt tax rates for the forthcoming fiscal year and, by the attached Resolution, adopted the tax rates for the forthcoming fiscal year; and

WHEREAS, 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 foregoing Ordinance.

BE IT ORDAINED AND ORDERED, this 9th day of May, 2024, by the Village Council, acting under and by virtue of the authority given it by the Maryland Code and the Village Charter, that the attached Budget be and is hereby adopted.

AND BE IT FURTHER ORDAINED AND ORDERED, by the Village Council, acting under and by virtue of the authority granted to it by the Maryland Code, and the Village Charter, that:

- (1) Pursuant Maryland Code, Local Government Article, Section 5-205(b)(4), the Village Council may spend money for a purpose different from the purpose for which the money was appropriated or spend money not appropriated in the attached Budget if approved by a two-thirds vote of the Village Council;
- (2) 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
- (3) This Ordinance shall take effect on the 1st day of July, 2024.

ATTEST:

THE VILLAGE OF MARTIN'S ADDITIONS

Susan Fattig, Secretary

Arthur Alexander, Chair

Resolution No.: 2024-2
Introduced: 3-21-24
Adopted:
Effective Date: July 1, 2024

THE VILLAGE OF MARTIN'S ADDITIONS

SUBJECT: A RESOLUTION TO APPROVE LEVYING A TAX ON CERTAIN REAL AND PERSONAL PROPERTY UNDER THE PROVISIONS OF SECTION 6-203 OF THE TAX-PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AS AMENDED

WHEREAS, Section 6-203 of the Tax-Property Article, of the Annotated Code of Maryland (as amended), grants authority to municipal corporations to levy a tax on personal property, land, and improvements thereon, within the municipal corporation; and

WHEREAS, the Village of Martin's Additions is a municipal corporation within the meaning of Section 6-203 of the Tax-Property Article; and

WHEREAS, pursuant to Section 703 of the Village Charter, the Village Council has the authority to levy a tax on all real property in the Village at the rate determined in accordance with Section 703 of the Village Charter; and

WHEREAS, pursuant to Section 601 of the Village Charter, the Annual Meeting of the residents of Martin's Additions was held on the 9th day of May, 2024 after due notice and advertisement of the time and place of the meeting and said notice included the proposed budget for 2024-2025 and the proposed tax rates to be levied upon real and personal property; and

WHEREAS, after due deliberation and consideration of all information and testimony presented to the Village Council, the Village Council finds that the proposed tax rates on real and personal property will serve the best interests of the Village.

NOW, THEREFORE, be it:

RESOLVED: That the Village Council of the Village of Martin's Additions, pursuant to the authority granted by the Village Charter and Section 6-203 of the Tax-Property Article of the Annotated Code of Maryland, hereby levies a tax at the rate of two thousandths of a cent (\$0.002) per one hundred dollars of assessable value (fair market value) on real property subject to taxation by the Village; zero dollars and zero cents (\$0.00) per one hundred dollars of assessed value of assessable personal property subject to taxation by the Village; and one dollar and forty-five cents (\$1.45) per one hundred dollars of assessed value of assessable utility property subject to taxation by the Village; and be it further

RESOLVED: That the tax levied hereby be certified to the County Council for Montgomery County, Maryland, and that Montgomery County, Maryland be, and hereby is, authorized and directed to collect and pay over said tax to the Village of Martin's Additions; and be it further

RESOLVED: That the Director of Finance for Montgomery County, Maryland be advised of this resolution.

I, Susan Fattig, Secretary of the Village Council of the Village of Martin's Additions, hereby certify that the foregoing resolution was adopted by the Village Council at its meeting on the 9th day of May, 2024.

Susan Fattig, Secretary

**Village of Martins Additions
Financial Report for February 2024
Jeffrey Blander Treasurer
Thursday March 21st, 2024**

	Feb. 2024 (Actual)	Feb. 2024 (Budgeted)	Under/Over Budget	YTD (Actual)	YTD (Budgeted)	Under/Over Budget	Annual
Total Income	\$51,721.64	\$80,533.00	(\$28,811.36)	\$1,021,603.78	\$644,266.67	\$377,337.11	\$966,400.00
Total Expenses	\$49,965.56	\$75,433.00	\$25,467.44	\$632,991.28	\$603,466.67	\$29,524.61	\$905,200.00
Net Income	\$1,756.08	\$5,100.00	(\$3,343.92)	\$388,612.50	\$40,800.00	\$347,812.50	\$61,200.00

Assumptions:

- Income includes revenue from permit fees, country revenue sharing, income tax, property tax, and interest.
- Expenses include those from general government (printing, insurance, office lease, telephones, etc.), salaries and benefits, professional fees (accounting, legal, permitting, etc.), streets (lighting and maintenance), waste and recycling, other (tree maintenance, community events, etc.)

Total current assets	\$5,530,990.96
Investment reserves (Walkability, streets, other)	\$1,500,000.00
Emergency reserves	\$1,000,000.00

Current assets less reserves shown above	\$3,030,990.06
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Of note, VMA year-to-date (YTD) budgeted versus actual total income (\$644,266.67 versus \$1,021,603.78) is \$377,337.11 greater than expected. This is primarily due to \$466,820.10 in ARPA funds (\$283,161.82) and interest (\$183,658.28). These particular positions have been evaluated in planning for the 2024 – 2025FY Budget cycle. As noted in previous months, accrued legal fees are higher than expected and have surpassed the annual budgeted totals for the current fiscal year: Actual (\$66,940.40) versus Budget (\$55,000). Furthermore, the two new community pilot programs are underway and being implemented for residents: Snow shoveling and CC@H/Aging in Place. These have been considered in future planning for their value, impact, and future appropriations. All line-item figures for actual versus budget accrued and projected for 2023-2024FY, historical trend data, and current tax rates have been used to help plan for the upcoming 2024-2025 FY Budget cycle.

There are several larger capital projects in-progress and additional budget categories being paid for with ARPA funds. The VMA office will provide additional updates during their monthly manager report and will continue working with our accountant to report these on a monthly accrual basis and as required by April 2024.

Near-term follow-up activities

- *It will be critical that VMA plans for and outlays any remaining ARPA funds by Dec. of 2024.*
- Discuss and introduce the draft FY2024 – 2025 budget during the March 21st 2024 Council Meeting.

Village of Martin's Additions. Balance Sheet

As of February 29, 2024

	Total
ASSETS	
Current Assets	
Bank Accounts	
1000 United Bank	0.00
1001 Suntrust Bank	84,573.84
1005 Congressional Bank	257,384.26
1020 MLGIP	5,052,963.21
1021 MLGIP - Infrastructure	118,432.96
Total 1020 MLGIP	\$ 5,171,396.17
1072 Bill.com Money Out Clearing	15,769.69
Total Bank Accounts	\$ 5,529,123.96
Accounts Receivable	
1100 Accounts Receivable	0.00
Total Accounts Receivable	\$ 0.00
Other Current Assets	
1010 Petty Cash	100.00
1120 Security Deposit - Office	1,767.00
1130 Taxes Receivable	0.00
1140 Accrued Interest Income	0.00
Total Other Current Assets	\$ 1,867.00
Total Current Assets	\$ 5,530,990.96
Fixed Assets	
1205 Other Assets	2,450.00
1210 Office Equipment	24,944.00
1215 Leasehold Improvements	1,381.00
1220 Capital Fund Infrastructure	1,191,352.15
Total Fixed Assets	\$ 1,220,127.15
Other Assets	
1110 Accounts Receivable Accrual	0.00
1150 Prepaid Expenses	0.00
1160 Real Property Tax Receivable	0.00
1170 Personal Property Tax Receivabl	0.00
Total Other Assets	\$ 0.00
TOTAL ASSETS	\$ 6,751,118.11

LIABILITIES AND EQUITY**Liabilities****Current Liabilities****Accounts Payable**

2000 Accounts Payable	34,203.78
2030 Accrued Vacation	0.00

Total Accounts Payable	\$ 34,203.78
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Credit Cards

Master Card 3331 - 1	192.00
Master Card 3570 - 1	291.13
Master Card 5567 - 1	-362.08
Master Card 5568 - 1	355.66

Total Credit Cards	\$ 476.71
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Other Current Liabilities

2010 Accounts Payable - Accrual	-58.00
2020 Accrued Salaries Payable	0.00
2200 Refundable Deposits	18,730.00
2300 Deferred Property Taxes	0.00
2400 Deferred Revenue	0.00
2401 Deferred Revenue - ARPA	678,066.97

Total Other Current Liabilities	\$ 696,738.97
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Total Current Liabilities	\$ 731,419.46
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Total Liabilities	\$ 731,419.46
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Equity

3000 Fund Balance	429,466.74
3010 Fund Balance - Infrastructure	600,000.00
3100 Investments in GFA	1,220,127.15
3900 Retained Earnings	3,381,492.26
Net Income	388,612.50

Total Equity	\$ 6,019,698.65
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TOTAL LIABILITIES AND EQUITY	\$ 6,751,118.11
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Friday, Mar 08, 2024 10:37:12 AM GMT-8 - Accrual Basis

From: Michael Silliman, Village Manager
To: Village Council
Subject: Village Manager's Report
Date: 3-21-24

Administration:

- Reminder that the May Council meeting has been moved to May 9th to adopt the FY25 budget in the first half of May.
- IT software updates were completed this week.
- We held a FY25 budget working session which was open to the public.
- Arbor Day in Maryland is April 3rd. Please join Tree Supervisor, Paula Goldberg, and me on a Village walk to inspect and learn how to care for our new street trees on Friday, April 5th at Noon.
- To reduce Village legal costs, I have asked Village Attorney Ron Bolt to log off Village Council meetings after any agenda item where legal advice may be needed.

Maintenance:

- We will need to find a new contractor for street and sidewalk paving.
- The Village contract with the arborist, Mulheron Tree Experts, expires 12-31-2024.
- In FY25, we will want to renew the contract with our GIS mapping contractor to make updates to the map and provide training.
- I would like to ask Rolling Acres to do street cleaning this spring if the Council approves this added expense.

Project Updates:

- Engineering firm, Clark, Azar & Associates is making edits to the conceptual design of the Brookville sidewalk and is investigating options for working with or around issues with the site survey. I hope to set up meetings with property owners along Brookville Road and the public in the next month.
- We have conducted an audit of Village streetlights. PEPCO has been charging us for 74 streetlights, but their review only found 67 streetlights in the Village. Our review confirmed all 74 streetlights, though none of the maps capture all the streetlights correctly. There is at least one streetlight on the edge of the Village where ownership is unclear. There are two streetlights that were not updated to LED.
- We will be updating the Village resident directory this fall.

Buildings:

- I have attached Building Administrator, Doug Lohmeyer's monthly report.
- We are expecting construction projects at 204 Oxford, 3515 Cummings, and 3518 Shepherd. All three will require resident informational meetings prior to issuing Village permits.

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

FROM: Doug Lohmeyer

DATE OF MEMO: Mar. 16, 2024

SUBJECT: Building Administrator's Report

6701 Brookville Rd.

The property owner has submitted an application to construct a circular driveway with a second driveway apron on Brookville Rd. The staff has reviewed the plan and sent comments to the applicant.

3415 Cummings La.

A plan to remove the existing house and to construct a new house has been submitted to the Village for review. The MCPDS issued their building permit on Mar. 14, 2024. The resident's information meeting will be scheduled soon. Then the Village will issue their permits.

3417 Cummings La.

The owner submitted an application to demolish the existing house and to construct a new home on Nov. 22, 2022. The property is two lots, 6 and 7, recorded in 1919. The resident information meeting was held on Tuesday, Mar. 14th. The MCDPS issued their permit and the Village permit was issued on May 30, 2023. The work on ongoing.

3419 Cummings La.

The owner submitted an application to demolish the existing house and to construct a new home on Nov. 22, 2022. The property is two lots, 6 and 7, recorded in 191.9. The resident information meeting was held on Tuesday, Mar. 14th. The MCDPS issued their permits and the Village issued their permits on May 11, 2023. The plans have been revised to modify the front porch roof. The work is ongoing.

3517 Cummings La.

The property owner is planning on constructing a detached shed at the rear of the lot. They have not filed with MCDPS or the Village yet.

204 Oxford St.

The staff has discussed with the contract purchaser the VMA Code and process. They plan on removing the existing house and constructing a new home. They have not submitted any plans to the Village office.

3518 Shepherd St.

A plan to add a 2 story addition on the southern end of the existing house has been submitted to the Village. The staff reviewed the plans and sent comments to the owner.

3412 Taylor St.

The homeowner has submitted plans to enclose and remove the existing below street garage and to remove and raise the driveway, so it will slope towards the street and away from the house. The staff met with the owners and their architect and discussed the proposed revisions and the process. They have applied for a Village variance and a building permit. The Council approved the variance on Dec. 12, 2023. The Village permit was issued on Dec. 18, 2023. Work began at the end of Feb.

3511 Turner St.

An application has been submitted to enlarge the existing deck at the rear of the house. The MCDPS issued their building permit on Jan. 30th. The Village issued the building permit on Feb. 15, 2024. The construction has not started yet.