

Village of Martin's Additions
7013 Brookville Road, Suite B, Chevy Chase, MD 20815
Council Meeting Minutes
September 17, 2020
VIA ZOOM CONFERENCE CALL

Council Members Present: Susan Fattig; Arthur Alexander; Todd Mann; Jeff Blander; **Village Manager:** Niles Anderegg; **Village Manager Assistant:** Martha Fessenden, **Building Administrator:** Doug Lohmeyer; **Village Attorney:** Ron Bolt; **Residents and other Attendees:** Keith Allen (Turner Lane); Tiffany Cissna (Bradley Lane); Marty Langelan (Chestnut Street); Naomi Naierman (Quincy St); Lynn Welle (Oxford St),

7:31 PM Call to Order: Fattig

7:32 PM Opportunity for Council to hear resident comments: Fattig

Keith Allen (Turner Lane) gave a weather forecast of very dry but pleasant weather for the remainder of September, and warmer than normal temperatures for October and much of the upcoming 2-3 months. The milky hazy appearance in the sky is from the wildfires out west. Smoke caught up in the jet stream has been transported across the country above 20,000 feet.

Marty Langelan (Chestnut Street) asked how residents might send information to the Council prior to the community forum on Oct. 1. Susan Fattig suggested that comments be sent to Council members.

Naomi Naierman (Quincy St) wanted to know how the Village could be engaged in the planning process for the redevelopment of the Chevy Chase Library. Niles Anderegg reported that the County has put out an RFP to solicit proposals for redeveloping the library and that public hearings will be held at a later point in the planning process. County Council member Friedson has been in communication with David Dice about getting more input. Jeff Blander stated he would follow up with Niles and other members of the Council on this issue, one that he personally had engaged on prior to his election to the council. He raised questions about why the RFP focused on residential development as opposed to other options for redevelopment. That a community group leading the effort has since provided feedback and that a public commenting period has begun soliciting online feedback. Moving forward in some capacity seems to make good sense, given the context of other development underway in connection with the 'light' rail development on Connecticut avenue. Naomi asked if a committee could be formed to provide more Village input on the redevelopment. Susan Fattig suggested that Village staff seek out more information first.

7:41 PM Committee Updates: Fattig

Election Committee Tiffany Cissna (Bradley Lane) reported the first committee meeting was held a couple of weeks ago, attended by Josh Bowers (Summit Ave), George McAleese (Melville Place), and Tiffany Cissna (Bradley Lane). They had a quick discussion about how things went last year and how things might go this year. They researched different options for conducting this year's election. The next meeting will be Thursday, Sept. 24th. Minutes from the last meeting are up on the website and the agenda for the next meeting will be available as of Sept. 18.

Ethics Committee Marc Efron (Raymond Street) reported that the committee (Marc, Lorie Mitchell, Cummings Lane, and Debbie Roumell, Raymond Street) had its first meeting on August 27th. The minutes will be posted tomorrow. The committee approved three recommendations unanimously: 1) require all Council and Committee members to sign a Conflict of Interest (COI) statement and Oath of Office; and 2) requires these signatures annually; and 3) update the code to address ethical issues related to the Oath of Office and the obligation that people serve with complete impartiality, privacy, protection, and reputation. Susan Fattig referred these recommendations to Ron Bolt for his comments regarding next steps. He said that people are currently required to execute the Oath of Office and COI but not annually. The code provides that a code violation requires an infraction subject to a fine of \$100 and removal. Marc emphasized that the purpose of the recommendation was not to impose fines but was more focused on removal for anyone who violated the oath. Before the next meeting, Ron will circulate a draft of an ordinance to address the recommendation. Marc asked that the Ethics Committee review the draft to see if it satisfies their concerns. Susan noted that the draft could be introduced at the October meeting and voted on at the November meeting. Jeff Blander, shared while first acknowledging the sincerest respect for all members of the ethics committee as well as fellow council members, had questions over the introduction of a draft ordinance at this time. These questions were to be taken politely in the context of the recent feedback received from residents over the recently proposed sign ordinance. This includes continuing to explore ways to improve communication on process and provision of data/evidence when developing future ordinances. Jeff, while still a ‘newbie’, kindly asked for added context on the process to draft the proposed ordinance as the minutes from the Ethics Committee had at the time not been published, nor specific examples of violations or pending ‘cases’. Jeff shared that he had attended the 1st Ethics Committee meeting since the new council was elected, to listen and observe. It was during this time that the idea of expanding the committee’s scope was first introduced. Jeff had assumed the minutes from the committee meeting would first be published and then recommendations reviewed before any further actions taken. Jeff also shared his experience on serving on ethical review boards for large institutions. That there are some possible challenges to how the proposed changes to the ethics committee might work, specifically to determine if violations by fellow residents volunteering on committees or elected council members have occurred. Also, there is potential for misuse, whether intentional or not. Jeff shared that he planned to soon follow-up with other council members to have a deeper perspective on process, alternative approaches, and sense of urgency for these plans. Marc shared that the Oath of Office requirement was put into place in 2019. There have been issues related to the Oath of Office and the committee has had to decline any role in responding to those issues. There is no apparent enforcement mechanism right now regarding the Oath of Office at the VMA level. Jeff also inquired about whether such mechanisms currently exist at the county or state levels that could easily be applied e.g. felony or misuse of office. Also, that he was unaware of similar standalone committees in other sections of Chevy Chase to investigate similar matters or infractions.

Walkability Task Force Niles Anderegg said that they want to hold their own community forum. He suggested the end of October for consultant Chris Jakubiak to give a presentation and gather resident feedback.

Susan Fattig asked for a motion, to approve August meeting minutes; Arthur Alexander made the motion, Todd Mann seconded the motion, and it was passed unanimously.

7:51 PM Discussion on Potential Questions for the 2020 Annual Survey

The 2020 survey coming out in about a month. Susan Fattig asked if any Council member would like to weigh in on the questions. Jeff Blander noted that the first couple of questions had to do with Village operations. He suggested adding items about overall satisfaction with and performance of the Council. He also suggested that additional questions might ask residents to provide specific ideas about how to improve communication (types and frequency) and on events or virtual forums that they would like the Village to host in 2020 – 2021, and to indicated how community engagement could be strengthened in the context of COVID-19 and what committees and task forces they would like to see appointed. Jeff said that he borrowed some of these ideas from other parts of Chevy Chase, which have committees on inclusion and diversity and annually ask their residents for ideas for new committees, including for safety and environmental protection. Arthur Alexander asked Niles Anderegg if the Walkability Committee would like specific questions added to the survey. Niles said the Walkability Committee conducted its own specific survey, so no questions were needed on the Annual Survey. Todd Mann noted that questions 3 and 4 deal with asking if residents had contacted the Village staff in the last year, and, since Niles started as Village Manager 6 months ago, the question should be changed to cover just the last 6 months. Susan asked if changes could be made administratively, and Ron advised that, since this is an administrative function, questions could be adjusted during an administrative meeting via Zoom. Niles said the usual pattern was to have the Annual Survey completed in time to review results by the October 15 meeting. The administrative meeting should be held next week so that the survey can go out next week, which would allow 2 weeks for responses and another week for staff to compile results.

8:05 PM Discussion on Potential Sidewalk Repair

Arthur Alexander noted that sidewalk repair funds in the budget had been combined with roadwork funds, making it look like nothing had been done in a long time. VMA sidewalks are in terrible shape. On the Walkability Survey, the condition of the sidewalks was an item that came up over and over again. Arthur has talked to Niles Anderegg and Joe Cutro (Road Supervisor) on how to move forward. Niles said that previously the Village Manager, the Building Administrator and a contractor went through the Village and highlighted what needed work. That could be done again. Niles suggested that he and Doug Lohmeyer be directed to do that and then they could give the Council a plan. Arthur noted that, since Brookville Road is a state highway, problems with its sidewalks were not addressed by the Village. Niles said he has been in communication with the State Highway Administration on how to best address fixing sidewalks on Brookville Rd. Susan Fattig asked for a motion to direct Niles and Joe Cutro (or Doug) to conduct an examination of sidewalks and come up with a priority matrix. Arthur Alexander made the motion, which was seconded by Todd Mann, and passed unanimously.

8:15 PM Discussion on the Village's Tree Canopy Program

When the Village had a tree committee in 2014/15, its recommendation to encourage planting of private trees by having the Village subsidize the plantings was adopted. Residents contribute \$100 to the cost of a new tree and pledge to take care of each newly planted tree. Participation in this program has been limited, with only 3–4 requests in the past 4–5 years. Section 5, which does not charge residents to participate in a similar program that includes ornamental as well as canopy trees, gets 15-30 requests per year. Arthur Alexander proposed that the required \$100 contribution be eliminated and that the program include ornamental as well as canopy trees. He

also suggested that the program be publicized more aggressively, perhaps through a separate mailing just about trees. Arthur Alexander made a motion to remove the \$100 fee from the tree canopy program. The motion was seconded by Todd Mann and passed unanimously.

8:25 PM Discussion on the Upcoming Community Forum (October 1)

Susan Fattig noted that Jeff Blander had proposed that the Council hold a community forum. Jeff described two approaches: 1) have a forum with Council members, advertised as a listening session, similar to the candidate forum; or 2) have a listening session, similar to those held by other Chevy Chase sections. The listening session would be limited to 2 Council members so it would not violate the Open Meetings Act. The forum would include all Council members but would require that it be documented, and people might not feel as comfortable participating. At a listening session, participants can talk more freely but all Council members would not be present. Ron Bolt said that either approach is permissible. If less than a quorum attended, the gathering would not be considered a “meeting.” Council members would have to agree who would attend so that a quorum does not show up. Arthur Alexander commented that there would not be any minutes or votes taken, so a listening session would be abbreviated. The Council discussed the two options. Ron noted that, as Jeff suggested, the listening session might provide a *safe place* for residents because their comments would not appear in meeting minutes. Susan said residents are presumably fine with being on the record, but she questioned if the optics would be bad if only two council members attend. Todd Mann suggested that they all attend, and Arthur agreed. Niles Anderegg will publicize the community forum and put in on the calendar, in the wrap-up and in the newsletter. Jeff asked Ron if the Open Meeting Act applied if Council member are just present rather than engaged in decision-making. Ron answered that it is *presence* that is significant under the Open Meetings Act. For example, as noted recently by the Open Meetings Compliance Board, if a 3rd council member is just copied on an email, that is also deemed “presence” for purposes of quorum. It was agreed that members of the council could follow-up to finalize any remaining administrative details with Niles, The Village Manager.

8:30 PM Building Administrator's Report: Lohmeyer

Doug Lohmeyer shared information about 3506 Bradley, 7200 Delfield, 7220 Delfield, and 7200 Summit. ([See attached Building Administrator Report.](#))

8:35 PM Financial Matters, including Treasurer's Report: Alexander

Arthur Alexander reported that, as anticipated, no monies are coming in right now, but he expects there will be no problems. SunTrust has been asked to create a separate payroll account, but no one has gotten back to Village staff yet. Niles Anderegg will follow up to get a dedicated account for payroll; this is called an *impressed* account. ([see attached full report](#))

8:40 PM Manager's Report: Anderegg

Niles Anderegg gave a brief report ([see attached full report](#)) with these highlights:

- Niles announced that he is now a notary and can-do notarizations virtually.
- Martha Fessenden is working on the Village Directory.

- Cyber security work included upgrades to the firewall. By next week, each Council member should have their own email address to use. Cloud backup storage is in place. Some training videos will be available on how to backup documents.
- Niles has latest updates for the GIS project. Doug Lohmeyer, Niles, and Wayne Fowler will take one last look at the data before approval.
- An RFP will be issued soon for street cleaning, leaf vacuuming, and snow plowing.
- Jeff Blander thanked Niles for his work during this difficult time. He suggested looking into some low-hanging-fruit for the community to create energy and positivity.

8:45 PM Opportunity for Council to hear residents' comments: Fattig

Marty Langelan (Chestnut St.) commented that there is a need for getting confidential questions for the community forum to the Council. Could there be a suggestion box downstairs by the front door so that people are assured of confidentiality? Think about how questions can be submitted without including a name of who submitted the question. People are afraid of repercussions, and that this is a carryover from the past. Todd Mann said it bothered him if residents are afraid of talking to him, since he is their elected representative. He added that since the Forum is taking place to encourage a dialogue, it is difficult for that to happen if the person submitting a confidential question chooses to stay anonymous. Susan Fattig said this might be addressed on the administrative Zoom call. Jeff Blander suggested having people send their questions to Niles Anderegg. Ron Bolt said that anything submitted by email generally cannot be treated as anonymous, because a letter is a public record according the Public Information Act. However, unsigned letters can be submitted and concerned residents can call Council members on the telephone.

8:55 pm Adjournment: Fattig

Arthur Alexander moved that the meeting be adjourned, Jeff Blander seconded, and the motion passed. Meeting adjourned at 9:01.



VILLAGE OF MARTIN'S ADDITIONS

COUNCIL MEETING APPENDIX

September 17, 2020

Materials included in this appendix were either included in the Council monthly meeting packet distributed before the meeting or submitted to the Council as part of the meeting. All materials appear as submitted.



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, September 17, 2020, 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: Fattig

7:31 PM Opportunity for Council to hear residents' comments: Fattig

7:41 PM Committee Updates: Fattig

7:51 PM Discussion on Potential Questions for the 2020 Annual Survey ([Packet Page 3-6](#))

8:05 PM Discussion on Potential Sidewalk Repair

8:15 PM Discussion on the Village's Tree Canopy Program

8:25 PM Discussion on the Upcoming Community Forum (October 1)

8:30 PM Building Administrator's Report: Lohmeyer ([Packet Page 7-9](#))

8:35 PM Financial Matters, including Treasurer's Report: Alexander ([Packet Page 10](#))

8:40 PM Manager's Report: Anderegg ([Packet Page 11](#))

8:45 PM Opportunity for Council to hear residents' comments: Fattig

8:50 PM Adjournment: Fattig

*Please Note: Listed times are approximate.



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Virtual Meeting Information

Below is the information for those residents who would prefer 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: 867 0327 8775 (you must enter the "#")

Password: 784148

2. Web/Video Option:

- a. Go to the Zoom meeting link: <https://us02web.zoom.us/j/86703278775>
- 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: 867 0327 8775

Password: 784148

Topic: VMA Council Meeting

Time: Sept 17, 2020 07:30 PM Eastern Time

Draft Questions for the 2020 Annual Survey

Cover Email

Dear Residents,

The Village Council is seeking resident input on Village services and operations. We use the resident feedback to inform the Council's decision-making process and set Village priorities. The survey should take less than 10 minutes to complete. Please participate! (But please limit your responses to one per household.) The survey will be open from XXX, XXXX, XX, 2020, at 6:00 PM until XX, XXXX, XX, 2020, at 11:59 PM. Survey results will be shared at the Thursday, OCT 15, 2020, VMA Council meeting.

Sincerely,

Village of Martin's Additions Council

Questions

1. Overall, how satisfied are you with the Village operations? (Multiple choice question)

- Extremely satisfied
- Somewhat satisfied
- Neither satisfied nor dissatisfied
- Somewhat dissatisfied
- Extremely dissatisfied

2. If you would like to share your experience with the Village, please describe below.
(open-ended question)

3. If you have contacted the Village Office within the last year, how quickly did the Village Office staff respond to your request? (Multiple choice question)

- Within the same day
- Within 3 business days
- Within one week
- Never received a response
- N/A

4. If you have contacted anyone on the Village Council within the last year, how quickly did the Council Member(s) respond to your request? (Multiple choice question)

- Within the same day
- Within 3 business days
- Within one week
- Never received a response
- N/A

5. Most of the Village budget is spent on providing our residents with services. These services often exceed what is provided by the County, such as bi-weekly trash collection from the side yard, police patrols, and Village sponsored events. Please indicate any changes in services you would like the Village Council to consider, keeping in mind the additional expense the Village would incur from providing such services. (open-ended question)

6. I believe the enforcement of the building codes has been fair and effective.

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

7. If you selected disagree or strongly disagree in question 6, please describe your experience. (open-ended question)

8. The Village staff sends regular communications to residents about upcoming events, issues under consideration by the Council, and messages from local police. If you would like to receive additional information from the Village Office, please list it here. (open-ended question)

9. Do you believe the 2020 election was conducted in a fair and open manner? If you have any recommendations or comments, enter them in the comment box. (Yes and No Question, Plus Comments)

- Yes
- No

10. Was getting information and the process of voting easy in the 2020 election? (Yes and No Question, Plus Comments)

- Yes
- No

11. In which Village events have you participated in the past year (select all that apply)? (Multiple choice question)

- Monthly Council meeting
- Halloween
- Adult Spring Fling
- I have not participated in any Village events
- Other

12. Please list other events that you would like the Village to organize or host, if any (open-ended question)

13. Would you like to volunteer your time and expertise to the Village of Martin's Additions on a short-term or long-term basis? If so, please contact the Council. (open-ended question)

14. Do you have anything else you would like to share with the Village Council? For example, you could provide suggestions on what you would like to see more of or less of in how we operate. (open-ended question)

15. Please select your street below. *Required Question* (Multiple choice question)

- Bradley Ln

- Brookville Rd
- Chestnut St
- Cummings Ln
- Delfield St
- Melville Pl
- Oxford St
- Quincy St
- Raymond St
- Shepherd St
- Summit Ave
- Taylor St
- Turner Ln
- Thornapple St

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

FROM: Doug Lohmeyer

DATE OF MEMO: September 14, 2020

SUBJECT: Building Administrator's Report

3506 Bradley Lane.

Demolition and building permit applications were submitted to the Village office. The staff has initially reviewed the information. Waiting for MCDPS approval. The resident's information meeting was held on Wed. June 17th. Work is anticipated to begin in Sept. The County has not issued their building permit.

7210 Chestnut St.

The Village issued their building permit on Oct. 11, 2018. The County has closed their permits. Once the applicants finish the front yard improvements and we do a final inspection, the Village Building Permit can be closed.

7200 Delfield St.

The property owners (a partnership) has applied for a Village demolition and building permit for a new house. The MCDPS was issued on Sept. 3rd. The Village staff has completed the initial review of the application and submitted their comments of the applicant. A resident information meeting has not been scheduled.

7220 Delfield St.

The applicant's have submitted an application to demolition the existing house and rebuild a new house. The project is on hold as they are planning to make revisions to the submitted plans.

113 Quincy St.

The applicant's have submitted an application to build a detached garage at the left rear of the house. The staff has reviewed the plans. The MCDPS permit was issued on Aug. 10th. The Village permit is in process.

163 Quincy St.

The homeowner is proposing to add additional parking along the side of the existing driveway. The parking area will be different material than the driveway and the preliminary non-vegetative analysis indicates the non-vegetative area will not exceed 30% of the front yard. They have not filed for a Village permit.

3515 Raymond St.

The applicant has submitted plans to remove the existing house and to construct a new house. The County is reviewing their plans. The applicant's have revised their plans to address the "Wall Plane Length" condition. The informational meeting with the neighbors has not been scheduled. Waiting to the County to approve the plans.

7200 Summit Ave.

On April 28, 2020, the homeowners submitted a Variance Application for the front and rear setbacks in order to construct a new porch and bay window at the front of the existing house and an addition on the north (right) side of the house. The Variance was approved by the Council on July 16, 2020. The applicants have not submitted to MCDPS or the Village.

3414 Taylor St.

The homeowner has submitted an application to install a yard inlet on the lot at 3414 and connect that pipe into the existing MCDOT in front to the lot. They have submitted a right of way agreement for the section of pipe within the Village right of way.

3407 Thornapple St.

The Village issued their building permit on May 30, 2019. Work is continuing on the new house construction. The applicant has submitted a "Wall Check", which indicated the new house is in conformance with the approved site plan and the Village Code. On May 29th, the building permit was extended and work is proceeding. The Applicant revised the plans to show a two-car detached garage at the rear of the lot. The MCDPS and the Village has issued their revised building permits.

Miscellaneous Items

The staff is presently working with the following properties:

1. The MSHA has responded to the Village's letter regarding water ponding at the Village street intersections along Brookville Rd. They plan on making improvements to the intersections at Bradley, Quincy, and Cummings this summer. An email was recently sent to MSHA requesting a status report on their improvements.
2. The staff has spoken to several homeowners about proposed improvements to their property.

**Village of Martin's Additions
Financial Report for August 2020
Arthur Alexander, Treasurer
September 16, 2020**

	<u>Actual</u>	<u>Budgeted</u>
June 2020-August 2020		
Revenues	30,938	131,333
Expenses (excluding capital projects)	106,556	127,111
Net Income (revenues minus expenses)	-75,618	4,223
Capital investment expenses	\$ 0	
Investment reserves (less expenditures)	1,500,000	
Emergency reserves	1,000,000	

Current assets less designated reserves: \$ 519,520

In the current month, September 2020, we plan to transfer \$45,000 from the Village's savings account in the Maryland Local Government Investment Pool (MLGIP) to the checking account to cover projected expenses. In August, the planned and actual withdrawal was \$50,000.

Some of the Village's revenues and spending is lumpy; unlike, for example, the regular office rent, they arise sporadically throughout the year. For example, as part of the cost of the office, we agree to pay the property taxes on the property (shared by all the tenants), which came due in August. On the revenues side, property tax and income tax receipts do not come in regular receipts, but in irregular payments. Because of the unevenness of both costs and income, net income in the first few months of the year can appear to be out of line with the annual budget. Nothing is amiss, just lumpiness.

From: Niles Anderegg, Village Manager
To: Village Council
Subject: Village Office Update
Date: 9/15/2020

The Village Office is now available for notary services as I have been sworn in and received my official stamp name registry. Please contact the Village Office if you need to schedule a time to get your documents notarized.

Village Directory

The Village Office is completing the work on the directory. We are currently working with a printing vendor on formatting and we hope to have the directories printed and mailed very soon.

Cybersecurity

The Village Office is finalizing the final pieces of the cybersecurity upgrades, which will include an upgraded firewall and the creation of separate staff and guest Wi-Fi networks.

GIS Update

Wallace Montgomery, the Village's GIS contractor, has finished the requested updates to the GIS data. Staff is reviewing the update and will try to finalize this project soon.

Street Cleaning, Leaf Vacuuming, and Snow Plowing RFP

The Village's street cleaning, leaf vacuuming, and snow plowing contracts have expired, and the Village will be shortly issuing an RFP for the services. This RFP will be posted on the Village website as well as with Maryland Municipal League and on the State of Maryland procurement website.