



## VILLAGE OF MARTIN'S ADDITIONS

7013 Brookville Road (Second Floor, Suite B)  
Chevy Chase, MD 20815-3263  
Phone (301) 656-4112 Fax (301) 656-0030  
[www.martinsadditions.org](http://www.martinsadditions.org)

### Agenda for Council Meeting Thursday, March 19, 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: Cissna
- 7:31 PM Introduce Niles Anderegg, new Village Manager: Cissna
- 7:33 PM Opportunity for Council to hear residents' comments: Cissna
- 7:41 PM VMA Committee Updates: Committee Chairs or their representatives
- 7:50 PM Building Administrator's Report: Lohmeyer
- 7:55 PM Financial Matters, including Introduction of the Fiscal Year (FY) 2021 Budget Ordinance and Tax Rates Resolution<sup>1</sup>: Alexander
- 8:05 PM Office Report: Council Members
- 8:10 PM Discussion of possible Environmental Committee: Fattig
- 8:15 PM Opportunity for Council to hear residents' comments: Cissna
- 8:25 PM Adjourn

\*Please Note: Listed times are approximate.

### Virtual Meeting Information

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

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<sup>1</sup> A public hearing on the FY 2021 Budget Ordinance and Tax Rates Resolution will be held in advance of the Council's votes at the May 7, 2020 Annual Meeting. Residents can submit questions or comments to the Village Council in advance or at the May meeting.



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### **1. Dial In Option**

Call: 1 646 876 9923

When prompted, enter the Meeting ID: 863 838 638# (you must enter the "#")

### **2. Web/Video Option:**

- a. Go to the Zoom meeting link: <https://zoom.us/j/863838638>
- 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: 863 838 638

Topic: March 19 Village Council Meeting

Time: March 19, 2020 07:30 PM Eastern Time (US and Canada)

TO: The Council at the Village of Martin's Additions  
FROM: Doug Lohmeyer  
DATE OF MEMO: March 19, 2020  
SUBJECT: Building Administrator's Report

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**3506 Bradley Lane.**

A demolition and building permit application was submitted to the Village office. The staff is reviewing the information. Waiting for MCDPS approval.

**7204 Chestnut St.**

The Village issued the building permit on April 3, 2019. The construction of the additions is ongoing. The staff has requested a certified "Wall Check" that indicate the setbacks for the additions at the front and right side of the house. A variance was previously granted for those additions. The Village building permit will expire on April 3, 2020.

The homeowner has also requested a right of way licenses agreement for the new white address post, which is waiting the homeowner's signature.

A "Stop Work Order" was issued on Monday, March 9th. The Wall Check survey indicates the new addition at the rear encroaches into the "additional side yard setback" by approximately 4-inches. The staff has conveyed that information to the applicant. The applicant has been advised to submit a solution to the Village. The right of way agreement was also part of the order.

**7210 Chestnut St.**

The Village issued their building permit on Oct. 11, 2018. The applicant estimates the project will be completed in 2 to 3 months. The Village building permit has been extended. The applicant has poured the new driveway along the left side of the lot. The proposed driveway and other improvements cannot exceed the 30% non-vegetative cap in the front yard. The staff will monitor the progress.

### **3521 Cummings La.**

The property owner is looking into the possibility of removing the apron close to Brookville Rd. and installing another fence in the Village right of way.

### **3508 Shepherd St.**

The Village has issued a building permit to the new owner for the construction of an enclosed back porch and balcony at the right rear of the house. The new addition conforms to the Village Code setbacks and does not exceed the R-60 building coverage cap. The staff is closing that permit and refunding the performance bond.

### **3412 Taylor St.**

The Village original building permit was issued on Feb. 4, 2019. The house construction is ongoing. The applicant has raised the elevation of the house because of a high ground water condition. The height survey indicated the new roof peak is 6 inches higher than what the Village Code permits.

The Village Building Permit has been extended.

### **3407 Thornapple St.**

The Village issued their building permit on May 30, 2019. Work has begun 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.

The applicant has been advised that their building permit will expire in May.

### **Miscellaneous Items**

The staff is presently working with the following properties:

1. The MSHA staff is investigating the ponding water situation at the Brookville Rd. and Quincy.
2. The MSHA staff is reviewing the ponding situation at Brookville Rd. and Cummings La.
3. The staff has been in contact with three property owners regarding future improvements to existing house in the Village.

Ordinance No.: 2020-3-2  
Introduced: March 19, 2020  
Adopted:  
Effective Date: July 1, 2020

**THE VILLAGE OF MARTIN'S ADDITIONS**

**SUBJECT:** AN ORDINANCE TO ADOPT A BUDGET FOR FISCAL YEAR  
JULY 1, 2020 TO JUNE 30, 2021.

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 19<sup>th</sup> day of March, 2020;

WHEREAS, the Village Council, after proper notice to the public, considered the following Ordinance at a public hearing held on the 7<sup>th</sup> day of May, 2020;

WHEREAS, prior to adopting this Ordinance, the Village Council held a public meeting on the 7<sup>th</sup> day of May, 2020 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 7<sup>th</sup> day of May, 2020, 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, 2020.

ATTEST:

THE VILLAGE OF MARTIN'S ADDITIONS

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Katya Hill, Secretary

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Tiffany Cisna, Chair  
Village Council

**Discussion of Fiscal Year 2021 Budget for the Village of Martin's Additions**  
**Arthur Alexander, Treasurer**  
**March 19, 2020**

Fiscal year (FY) 2021 for the Village of Martin's Additions begins July 1, 2020. The Village charter requires that a budget be approved by May 15 authorizing Village expenditures over the following year. At this Council meeting and through May 7 when the final budget will be adopted, we offer residents an opportunity to review the proposals, discuss changes, and generate an informed response.

**Revenues:** The Village share of residents' state income taxes is the largest source of Village revenues, 80% of total projected revenues. This source of income peaked in FY2018 at \$812,000. Based on recent payments from the state, we have conservatively projected \$650,000 for the coming year.

The Village's income tax receipts follow the overall economy, particularly the stock market. Analysis of the past 14 years data suggests that Village revenues lag the stock market by about 12 months. If the current market decline continues, we can expect our income also to drop. Should that occur, we have in place a reserve account designed to cover more than a year's expenditures. Therefore, even a collapse of income tax revenues could be managed at current spending levels. Over the longer run, we would have to consider selectively cutting expenditures and raising the Village property tax, now the lowest in the state at .005 per hundred dollars of assessed value (\$50 on a house assessed at \$1 million). For FY2021, Village property tax rates will remain unchanged.

**Expenditures:** Several items in the FY 2021 budget will be substantially below FY 2020 levels. For example, we are currently undertaking several one-time projects to solidify our operations. The information system comprising computers, software, and online accounts has been cleaned up and updated. We are currently conducting reviews of our financial procedures. A project to review the Village's cyber security is about to get under way. Just because we are small does not mean that we are immune to cyber attack. Several municipalities in Maryland and around the country have been corrupted or held up by ransom-ware attacks; we want to make sure that our procedures minimize those risks. These one-time projects should be completed in the current fiscal year.

Expected income exceeds planned spending by \$64,600 for FY 2021.

**Reserves:** As noted above, our auditors recommended that we formally set aside reserves to cover ordinary expenses in case of an unplanned loss of revenues such as we experienced during the last recession. Consequently, we have introduced a "rainy day" fund of \$1,000,000, equal to approximately 120% of planned annual spending (not including capital expenditures). In addition, we have set aside reserves amounting to \$1,500,000 to cover the potential capital costs of future street paving, improvements to enhance residents' pedestrian experience, and other future capital needs.

	<b>FY2020 (amended)</b>	<b>FY2021 (proposed)</b>	<b>Change</b>
<b>Revenues</b>			
4010 · Permit Fees	15,000	12,000	-3,000
4020 · Cable TV Franchise Fees	8,000	12,500	4,500
4040 · County Revenue Sharing	26,800	26,800	0
4050 · Highway Users Fees	30,000	30,000	0
4060 · Income Tax	650,000	650,000	0
4080 · Personal Property Tax	4,500	4,500	0
4090 · Real Property Tax	15,000	15,000	0
4095 · Utility Property Tax	15,000	15,000	0
4100 · Holiday Fund	8,000	9,000	1,000
4110 · Interest	50,000	40,000	-10,000
4136 · WSSC - Street Work	79,014	0	-79,014
<b>Total Revenue</b>	<b>901,314</b>	<b>814,800</b>	<b>-86,514</b>
<b>Expenditures</b>			
5010 · Office Expenses	17,500	12,000	-5,500
50xx · Financial processes audit	6,000	0	-6,000
50yy · Cyber-security audit	8,000	0	-8,000
5025 · Office Furniture & Equipment	2,000	2,000	0
5030 · Insurance	8,000	8,000	0
5040 · Printing & Mailing	5,000	5,000	0
5050 · Dues & Subscriptions/Conference	10,000	10,000	0
5055 · Storage Rental	4,000	4,500	500
5060 · Office Lease	32,000	32,000	0
5065 · Telephone	4,000	3,000	-1,000
5070 · IT	20,000	7,500	-12,500
5080 · Holiday Fund	8,000	9,000	1,000
5110 · Managerial & Office Salaries	135,000	111,200	-23,800
5120 · Payroll Taxes & Benefits	25,000	16,000	-9,000
5210 · Accounting & Auditing	39,000	44,000	5,000
5222 · Building Review & Permits	50,000	45,000	-5,000
5224 · Enforcement & Oversight	18,000	18,000	0
5226 · Municipal Operations	18,000	18,000	0
5230 · Legal	65,000	40,000	-25,000
5240 · Police	40,000	45,000	5,000
5244 · Traffic Engineering	7,000	7,000	0
5246 · Records Retention & Disposal	1,500	1,500	0
5247 · GIS Update	13,000	10,000	-3,000
5310 · Street Lighting - PEPCO	3,000	3,000	0
5322 · Street Cleaning - Fall/Spring	15,000	35,000	20,000
5324 · Street Maintenance - Other	7,500	7,500	0
5326 · Leaf Vacuuming	20,000	0	-20,000
5349 · Snow Removal Services	20,000	30,000	10,000
5410 · Waste Collection & Recycling	130,000	130,000	0
5420 · Leaf Bags	15,000	16,000	1,000
5425 · Recycling Bins	1,000	1,000	0
5510 · Tree Maintenance & Replacement	32,000	32,000	0
5630 · Tree Planting Initiatives	2,000	2,000	0
5518 · Right-of-Way Landscaping	23,000	10,000	-13,000
5520 · Community Events	35,000	35,000	0
5530 · Website	4,250	0	-4,250
<b>Total current expenses</b>	<b>843,750</b>	<b>750,200</b>	<b>-93,550</b>
<b>Net (revenues – current expenses)</b>	<b>57,564</b>	<b>64,600</b>	<b>7,036</b>
<b>Designated Reserves</b>			
5805 · Walkability	500,000	500,000	0
5810 · Streets	500,000	500,000	0
5814 · Other Capital Projects	500,000	500,000	0
5820 · Auditor Recommended Reserve	1,000,000	1,000,000	0
<b>Total Reserves</b>	<b>2,500,000</b>	<b>2,500,000</b>	<b>0</b>



Resolution No.: 2020-3-1  
Introduced: March 19, 2020  
Adopted:  
Effective Date: July 1, 2020

**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 7<sup>th</sup> day of May, 2020 after due notice and advertisement of the time and place of the meeting and said notice included the proposed budget for 2020-2021 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 five thousandths of a cent (\$.005) per One Hundred Dollars of assessable value (fair market value) on real property subject to taxation by the Village; fifty cents (\$.50) 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, Katya Hill, 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 7<sup>th</sup> day of May, 2020.

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Katya Hill, Secretary