



Town of Vienna

Charles A. Robinson Jr. Town
Hall
127 Center Street South
Vienna VA, 22180

Meeting Minutes Town Council Meeting

Monday, March 6, 2023

8:00 PM

Charles Robinson Jr. Town Hall, 127
Center St. South

Invocation: Reverend Dean Miller, Christ Church Vienna

Mayor Colbert called on Reverend Dean Miller, Christ Church Vienna, to provide the evening's invocation.

Pledge of Allegiance to the Flag of the United States of America

1. Roll Call

- Present:** 6 - Council Member Chuck Anderson, Council Member Ray Brill Jr., Council Member Nisha Patel, Council Member Steve Potter, Council Member Ed Somers and Council Member Linda Colbert
- Absent:** 1 - Council Member Howard J. Springsteen

2. Acceptance of the Minutes: No minutes for approval

3. Receipt of petitions and communications from the Public that are not on the Agenda. (Limited to 3 minutes per issue and no formal action can be taken this evening)

Mayor Colbert opened the floor for comments from the Public.

Duane Royal, 600 Hillcrest Dr., SW. opened his remarks stressing that he is not opposed to the Town sidewalk project, but also noted that the goal of sidewalks on every street is not the claimed panacea to good health, pedestrian safety, and community sustainability goals that the initiative is promoting. As a walker, he stated that Vienna sidewalks do not address speeding or stop sign rolling, and that any Town crosswalk, even with a cross walk signal, is a walker beware danger field. Sometimes drivers don't see walkers, sometimes they just don't care. What he is opposed to is the destruction of decades old trees in the name of community enrichment.

The Hillcrest Dr., sidewalk project (south side) will destroy, according to the Town study, twenty-six mature trees and approximately six additional trees that will eventually die from construction root damage. A project that pits new sidewalks against mature trees is a false choice. These trees, plus additional shrubbery and plants, will be replaced by a half mile strip of concrete sidewalk. The environmental impact, including carbon capture loss, heat retention increases, and biodiversity degradation, needs to also be addressed by the Council, particularly when projects are reviewed street by street. The Hillcrest Dr. environmental impact multiplied by the dozens of other new Town sidewalk projects is not an insignificant environmental impact. Hillcrest Dr. has never had a sidewalk in its' seventy-year history and, to date, this hasn't been a problem. According to Town study, Vienna has lost 163 acres of trees in the last ten years. The Town Council should not add to this loss. And, just to be clear, replacing a mature tree with a fifteen inch diameter with a new three inch diameter tree does not, in any way, replace the tree canopy loss, at least

not for another thirty to fifty years. "So, on behalf of our Hillcrest trees, our children, grandchildren and great grandchildren, I strongly request that the Town Council cancel the Hillcrest Dr. sidewalk project".

4. Reports/Presentations

A. [23-3634](#) Presentation of *Trees in Vienna: A Review of Programs to Help Vienna Preserve and Manage its Tree Canopy*.

Mayor Colbert introduced Brian Land, Vienna resident and attorney at Kirkland & Ellis LLP, and Christina Caplan, Chair of Vienna's Conservation and Sustainability Commission to present the Item for consideration by Council.

The pro bono project explored ways the Town of Vienna could enhance its ability to preserve and manage its tree canopy through retention, replacement, and the addition of trees, particularly in light of increasing teardown/new home development throughout the Town. Through interviews with stakeholders and tree experts, analysis of tree laws and programs, and review of tree reports and forestry plans prepared for neighboring jurisdictions recommendations were presented for consideration.

Mayor Colbert and Council thanked the group for their effort on behalf of the Town of Vienna. The report, findings and recommendations will be discussed at greater length during a Conference Session scheduled for this May.

A. Report and Inquiries of Council Members

Mayor Colbert opened the floor for comments from Council.

Council Member Potter requested follow-up on the red danger markings on the corner of Glen and Courthouse where the sidewalk is blocked due to loose, dangling wires. Christine Horner, Acting Director, Public Works, noted that Public Works is actively looking into this issue.

Council Member Patel requested an update on the sidewalk project on Church St. at Glyndon and Park St. Acting Director Horner indicated that the project is moving into the design stage. She will provide a more detailed schedule.

Council Member Brill thanked Leslie Herman, Director, Parks and Recreation for providing Council with the reports on the tree canopy and the Annex.

Council Member Somers requested feedback on any action that can be taken to improve the situation with the lot on Church St. where the home was destroyed by fire, particularly with attention to additional flare up. David Levy, Director, Planning and Zoning, indicated that his Staff have been in discussion with the owner who states that a new home is in the final design stages. Acceleration of demolition has been encouraged. Director Levy will provide confirmation from the Fire Marshal of site inspection against potential for fire reignition.

B. Report of the Town Manager

Mayor Colbert called on Town Manager Payton who provided the following information for 2023-24 budget discussions:

- *Saturday, March 11, 2023 Budget discussion;*
- *Monday, March 13, 2023 Continue budget discussion;*
- *Monday, April 10, 2023 Public Hearing on budget, water and sewer rates;*

- *Monday, April 24, 2023 Public hearing on tax rate.*

Residents are encouraged to attend.

C. Report of the Mayor

Mayor Colbert reported that the launch party for the Town business website was well attended. She thanked Natalie Monkou, Director, Economic Development for this effort.

Vienna restaurant week is underway and will run March 3, 2023 through March 12, 2023.

With Town Hall elevator repair completed, regular Town Council meetings will be held in the Town Council chambers. Conference Sessions will continue to be held in the Community Room of the Police Station.

D. Proposals for Additional Items to the Agenda

E. Closed Session Report

It was moved that the members of the Vienna Town Council be polled to affirm that a Closed Session was held on March 6, 2023 in accordance with Virginia Code, Section 2.2-3711.A.(1), for discussion or consideration of personnel matters, specifically the interviewing of individuals for consideration of appointment and/or reappointment to Town Boards and Commissions.

It was further moved that the Certification Resolution be adopted in accordance with State Statutes, and that the Town Clerk is authorized to execute the Certification Resolution. And it was further moved that the Closed Session be continued to Monday March 20, 2023 at 7:00 PM in accordance with Virginia Code, Section 2.2-3711.A.(1), for discussion or consideration of personnel matters, specifically the yearly evaluation of the Town Manager.

Motion, Council Member Somers; second, Council Member Anderson. Motion carried unanimously.

It was moved to reappoint Ken Barry to the Bicycle Advisory Committee for a two-year term. Said term shall commence March 23, 2023 and expire March 23, 2025.

It was further moved that Jahangir Parandeh be appointed to the Town Business Liaison Committee for a two-year term. Said term shall commence March 7, 2023 and expire March 7, 2025.

And it was further moved that Preeti Penati be appointed to the Town Business Liaison Committee for a two-year term. Said term shall commence March 7, 2023 and expire March 7, 2025.

Motion, Council Member Somers; second, Council Member Potter. Motion passed unanimously.

A motion was made by Council Member Ed Somers, seconded by Council Member Chuck Anderson, that this was approve. The motion carried by the following vote:

Aye: 6 - Council Member Anderson, Council Member Brill, Council Member Patel, Council Member Potter, Council Member Somers and Council Member Colbert

Absent: 1 - Council Member Springsteen

5. Consent Agenda

Mayor Colbert recognized Council Member Anderson who offered the following motion;

It was moved that Item E. 23-3643 Request approval of MOU between Town of Vienna and Rotary Club of Vienna for 2023 Viva! Vienna! Festival and Backstage Brewfest be removed from the Consent Agenda and added to the regular Agenda for discussion.

Council Member Potter provided an addition to the motion as follows; Further it was moved that Item D. 23-3631 Request additional FY23 spending with Arthur Construction for roadway paving within the Town of Vienna be removed from the Consent Agenda and added to the regular Agenda for discussion.

Second, Council Member Somers. Motion carried unanimously.

It was moved to approve the Consent Agenda with the exception of Items D and E.

Motion, Council Member Patel; second, Council Member Anderson. Motion carried unanimously through roll call vote.

5. Consent Agenda

A. [23-3617](#)

Computer Aided Dispatch Upgrade

B. [23-3629](#)

Set a Public Hearing to consider alley vacation of 235 Lawyers Rd., NW

C. [23-3630](#)

Award a construction contract to U.S. Concrete & Paving, Inc., for 600 Block Valley Drive, SE drainage improvements

Mayor Colbert recognized Director Horner to present the Item for consideration.

A motion was made to approve additional FY23 spending in the amount of \$600,000 with Arthur Construction for paving and roadway maintenance work.

Motion, Council Member Patel; second, Council Member Potter. Motion carried unanimously.

F. [23-3644](#)

Request approval of memorandum of understanding (MOU) between the Optimist Club of Greater Vienna and Town of Vienna for use of the Vienna Community Center parking lot for the 2023 Vienna Farmers Market

Mayor Colbert introduced Gunner Spafford, Chairman, Viva! Vienna to present the Item for consideration by Council.

A motion was made to authorize the Mayor to execute the MOU between the Town and Rotary Club of Vienna for the 2023 Viva! Vienna! Festival and Backstage

Brewfest.

Motion, Council Member Patel, second, Council Member Anderson. Motion passed unanimously.

- G. [23-3646](#) Approval of the Liberty Amendments Month Organizational Structure

6. Regular Business

- D. [23-3631](#) Request additional FY23 spending with Arthur Construction for roadway paving within the Town of Vienna

A motion was made to approve additional FY23 spending in the amount of \$600,000 with Arthur Construction for paving and roadway maintenance work.

Motion, Council Member Patel; second, Council Member Potter. Motion carried unanimously.

A motion was made by Council Member Patel, seconded by Council Member Potter, that the Action Item be approved. The motion carried by the following vote:

Aye: 6 - Council Member Anderson, Council Member Brill, Council Member Patel, Council Member Potter, Council Member Somers and Council Member Colbert

Absent: 1 - Council Member Springsteen

- E. [23-3643](#) Request approval of MOU between Town of Vienna and Rotary Club of Vienna for 2023 Viva! Vienna! Festival and Backstage Brewfest

Mayor Colbert introduced Gunner Spafford, Chairman, Viva! Vienna to present the Item for consideration by Council.

A motion was made to authorize the Mayor to execute the MOU between the Town and Rotary Club of Vienna for the 2023 Viva! Vienna! Festival and Backstage Brewfest.

Motion, Council Member Patel, second, Council Member Anderson. Motion passed unanimously.

A motion was made by Council Member Patel, seconded by Council Member Anderson, that the Action Item be approved. The motion carried by the following vote:

Aye: 6 - Council Member Anderson, Council Member Brill, Council Member Patel, Council Member Potter, Council Member Somers and Council Member Colbert

Absent: 1 - Council Member Springsteen

7. Meeting Adjournment

*Mayor called for an adjournment of the Council Meeting at 9:15 PM.
Motion, Council Member Patel; second, Council Member Anderson.*

A motion was made by Council Member Nisha Patel, seconded by Council Member Chuck Anderson, that the meeting be adjourned. The motion carried by the following vote:

THE TOWN OF VIENNA IS COMMITTED TO FULL COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT STANDARDS. TRANSLATION SERVICES, ASSISTANCE OR ACCOMMODATION REQUESTS FROM PERSONS WITH DISABILITIES ARE TO BE REQUESTED NOT LESS THAN 3 WORKING DAYS BEFORE THE DAY OF THE EVENT. PLEASE CALL (703) 255-6304, OR 711 VIRGINIA RELAY SERVICE FOR THE HEARING IMPAIRED.