



Town of Vienna

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

Meeting Minutes Town Council Meeting

Monday, October 27, 2025

7:30 PM

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

Invocation: Mercury Payton

Mayor Colbert called on Mercury Payton, Town Manager, Town of Vienna to provide the evening's invocation.

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

1. Roll Call

Present: 7 - Sandra Allen, Chuck Anderson, Roy Baldwin, Ray Brill Jr., Jessica Ramakis, Howard J. Springsteen and Linda Colbert

2. Acceptance of the Minutes:

deferred

A. Acceptance of the Draft Minutes of September 15th Work Session, September 29th Town Council Meeting, and October 6th Town Council Meeting.

The draft minutes of September 15th Work Session, September 29th Town Council Meeting, and October 6th Town Council Meeting were held over for further consideration.

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 comment by the public.

*Justin Pan, 409 Course St., NE
Recently Fairfax County School Board redistricted a section of the Town from James Madison High School to George Marshall High School. Our neighbors have come together to try to stop this. I moved to this neighborhood in 1993 when I was ten years old. I went to Westbriar Elementary, Kilmer Middle School and I graduated from James Madison High School in 2001. I love this Town and Madison High School. I don't want the Town split between two high schools. We are trying to do all we can to make certain that the Town of Vienna stays with James Madison. That is the right place for us.*

4. Reports/Presentations

A. Report and Inquiries of Council Members

Mayor Colbert opened the floor to Council for comment.

Council Member Ramakis thanked the Optimists Club for the Farmers Market season.

Council Member Baldwin noted a conflict for the school boundary line hearing scheduled Wednesday, October 29, 2025, the night of the Halloween Parade. Mayor Colbert is working to change the date, however Council Member Baldwin remarked how this demonstrates a lack of knowledge on the part of the Fairfax County School Board regarding what is important to this community.

Due to the government shutdown SNAP benefits will soon cease. While the state may be able to direct some surplus to allay this, the Town of Vienna does not have resources to help affected residents.

Thursday night, October 30, 2025 the First Baptist Church will host a dinner for all those who are struggling during this time.

Council Member Allen emphasized that as the first Hispanic elected leader in Vienna, she is here for residents. The children of Vienna are from many ethnic backgrounds and should be proud of who they are. This diversity is what makes the nation great.

Council Member Springsteen remarked favorably on the year round composting facility.

Council Member Brill noted the completion of the Glyndon St. upgrade. He also complimented Owen McCarty on his continued can do spirit.

Council Member Anderson reported on the hearing of the Congressional Subcommittee to study the feasibility of establishing a Virginia Gaming Commission. The Subcommittee is receptive to Vienna and the No Casino plea and supports the establishment of a commission prior to further casino development. Recent polls indicate strong opposition to casinos in Fairfax County (75% of Fairfax County population opposed and over 50% strongly opposed).

B. Report of the Town Manager

No report

C. Report of the Mayor

Mayor Colbert reminded residents of the bicycle ride November 2, 2025 beginning at 10:00 AM, sponsored by the Bicycle Advisory Committee. There will be no Town Council meeting on November 3, 2025. Election Day is Tuesday, November 4, 2025. Polls are open from 6:00 AM until 7:00 PM.

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 Monday, October 27, 2025, at 6:30 PM in accordance with State Code 2.2-3711 a(1), personnel, for consideration of personnel matters, specifically the discussion of appointment and/or reappointment to Town Boards and Commissions.

And 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, November 10, 2025, at 6:30 PM in accordance with State Code 2.2-3711 a(1), personnel, for consideration of personnel matters, specifically the discussion of appointment and/or reappointment to Town Boards and Commissions.

Motion, Council Member Ramakis; second, Council Member Springsteen. Motion carried unanimously.

It was moved to reappoint Sandy Shinn to the Tree Advocacy Committee for a two-year term. Said term shall be effective October 30, 2025 and expire October 30, 2027.

And it was further moved to appoint Mona Kamel to the Conservation and Sustainability Commission to complete an unexpired term. Said term to begin October 28, 2025 and expire June 22, 2027.

And it was further moved to appoint Nash Cook to the Town Business Liaison Committee for a two-year term. Said term to shall be effective October 28, 2025 and expire October 28, 2027.

approved

Aye: 7 - Allen, Anderson, Baldwin, Brill, Ramakis, Springsteen and Colbert

5. 8:00 pm - 9:00 pm Public Hearings

Mayor Colbert called the Public Hearing to order at 7:55 PM. All Members of Council were present.

Present: 7 - Sandra Allen, Chuck Anderson, Roy Baldwin, Ray Brill Jr., Jessica Ramakis, Howard J. Springsteen and Linda Colbert

A.

Appeal of Decision by Board of Architectural Review - 264 Cedar LN SE (Vienna ACE Sign)

David Levy, Director, Planning and Zoning, presented the Item for Council consideration. Sharmaine Abaied, Town Planner and Liaison to Board of Architectural Review (BAR) was also present to answer questions from Council.

In September 2025, Vienna ACE opened a new store at the Cedar Park Shopping Center at 264 Cedar Lane, SE. The issue under consideration is an appeal of the signage denial by the BAR.

On August 21, 2025, the Board of Architectural Review held a public meeting to consider the application submitted by Desi Varsel of Signs Unlimited on behalf of Vienna ACE Hardware. Burton Francois was present at the BAR hearing to represent the application. During the discussion, the Board noted that the white backer board featured excessive "negative space" (which are areas of the sign not occupied by channel letters) and shared several suggestions for possible modifications. After consulting with the client, the applicant indicated a preference to not make changes to the proposed sign. The Board voted 3 to 2 to defer the application, recommending that the applicant submit a revised sign design that was more symmetrical and consistent with other signage in the shopping center.

On September 18, 2025, the Board of Architectural Review held a public meeting to consider the resubmittal application from Desi Varsel of Signs Unlimited on behalf of Faizal Thobani owner Vienna ACE Hardware. The resubmittal included the same sign design previously proposed at the August 21, 2025 meeting, along with ACE

corporate sign and logo requirements. The applicant indicated that their client, Mr. Thobani, did not wish to make any changes to the originally proposed sign. Burton Francois was present to represent the application at the hearing. Staff liaison, Sharmaine Abaied, reported that the Vienna ACE Hardware sign, with the proposed design, had already been installed without Board of Architectural Review approval and without a sign permit from Fairfax County. The Board discussed the application with the representative and reviewed the submitted ACE corporate branding requirements. Following the discussion, the applicant reaffirmed that the client, Mr. Thobani, did not wish to modify the proposed sign. The Board voted 4 to 1 to deny the application. Appeal of the Board of Architectural Review Decision Section 4-12 of the Town code provides any applicant with the opportunity to appeal a decision of the BAR to the Town Council, via the Town Clerk, as long as the appeal is filed on or before 14 days after the decision of the BAR. Staff informed the applicant of the right to appeal, and the applicant did so eight (8) days after the decision. The Town Clerk then worked with Planning and Zoning staff, the Town Attorney and the Town Manager to schedule the public hearing on the first Town Council meeting available when all notice requirements could be met.

Option before Council include affirming, reversing or modifying the decision of the board, in whole or in part. The decision of the Council shall be final, subject to the provision of section 4-14, which allows an applicant to appeal a decision of the Town Council to the County Circuit Court.

No action has been taken regarding installation of the sign without permit. This should have no bearing on the decision of Council

Owner, ACE Hardware and Patti Hanley, Chairman, Board of Architectural Review were present to answer question from Council.

Mayor Colbert opened the floor for comment from Council. Council Member Allen inquired why the signage for Red Bird [a tenant in the same shopping center] with similar backing was approved by BAR. It is big, it is centered, but it seems to not be based on code. Did this design go through BAR?

Director Levy replied that yes, it did go through BAR. There is always a struggle for BAR between wanting to respect corporate logos while attempting to maintain consistency of the design with the Master Sign Plan for the shopping center.

Council Member Allen asked again why the Red Bird sign was approved and the ACE sign not.

Director Levy indicated that symmetry may have played a part.

Patti Hanley, Chairman, BAR replied that the Cedar Park Shopping Center is located where the Safeway once stood. The space remained vacant for many years until renovation in the 1980's. More recent updates included efforts to camouflage the long narrow look of the center. The difference between the Red Bird and ACE signage is in the architectural feature. Red Bird is on a tower feature and the white space of the signage is symmetrical.

Mr. Thobani stated that he is thrilled to be doing business in Vienna. They are off to a good start and love their customers. Regarding the signage, it has passed Code for Fairfax County, Town of Vienna and ACE Hardware. In terms of square footage, it has passed and been approved on all fronts by all three parties. Regarding the symmetry, "we are not ACE Hardware. We are literally ACE Hardware of Vienna. It is extremely important for us to have the name Vienna in our

signage. To me it appears symmetrical, but again it was important to have the name Vienna included. We thought it looked simple”.

Signs Unlimited Owner thanked the Council for the time expended on this project. The original sign prototype was presented to the shopping center landlord, First Washington Realty, who indicated full approval. Instructions indicated that the sign could not be on a raceway but must be on a backer panel. Steps were taken to assure approval by all parties involved. Installation of the sign without approval was a mistake. It was done to assure that the owner and ACE had signage during ribbon cutting and opening and that residents would know where the store was located. This was done with full knowledge that BAR requirements were not met.

Mike Mittel, 1007 Westwood Dr., NE

I pulled up the former CVS signage (located where the new ACE sign is). It was on a white background with lighter red large CVS lettering and smaller darker red pharmacy lettering. It was truly symmetrical relative to the font. I'm presenting this information for your consideration.

I've visited your store already and am glad to have you in Town.

With no further speakers from the public, Mayor Colbert called for a motion to close the public hearing at 8:43 PM.

A motion was made to close the public hearing.

Motion, Council Member Baldwin; second, Council Member Springsteen.

Motion passed unanimously.

Mayor Colbert opened the floor for additional discussion by Council.

The following is a summary of those comments.

- Applicant appeal indicated no clear recommendation from BAR regarding changes;
- Response from BAR distinctly states problems with sign design;
- Applicant states that substantial changes to sign would deviate from business brand book and trademark standards; ACE Cooperate brand book illustrates acceptable signage that is symmetrical;
- Temporary signage would have been appropriate for ribbon cutting;
- BAR provides expertise; Difficult to second guess; Grounds for overturning decision have not been met;
- Alternatively, an appeal that reaches Council should be given careful scrutiny; Must consider message Town is sending to new businesses; Concern with favoritism regarding these types of decisions;
- BAR set a high standard that is reflected in the Town's harmonious aspect;
- Urge applicant to set work session with BAR;
- Process time frame was adequate to meet applicant deadline if recommendations were followed.

Applicant did not have denial in hand prior to ribbon cutting - temporary signage was suggested by Planning and Zoning.

Prior to the motion, an amendment was suggested by Council Member Anderson that would allow the applicant to retain current signage for a specified number of days until new signage could be acquired.

Director Levy acknowledged the uniqueness of this situation and agreed to work with the applicant on the process. He stressed the goal of an amicable resolution.

Town Attorney Briglia reviewed the process for moving forward. The applicant has thirty days to appeal the decision by Council. If an application for replacement signage is made within that period and there is no indication of further appeal, then Planning and Zoning would treat the current signage as temporary. If no application is received, then at some point, the Town gives notice of violation and they have a specified number of days to comply. As a practical matter there is time built in.

Given the outlined legal process, Council Member Anderson withdrew the amendment.

A motion was made to affirm the decision of the Board of Architectural Review to deny the sign as presented by the applicant, Desi Versal of Signs Unlimited on behalf of Vienna ACE Hardware, located at 264 Cedar Ln SE.

Motion, Council Member Anderson; second Council Member Baldwin.

Additional discussion included the following points.

- *Sign is objectionable due to its variance from the Master Sign Plan;*
- *Acknowledge expertise of BAR;*
- *Applicant is not owed an alternate sign plan; Recommended changes were clearly stated;*
- *Nonconforming signage on Church St. did not go through BAR; Church St. Overlay has unique design guidelines; Businesses on Church St. who desire to work outside the guidelines must get approval by Council; Council will no longer hear these requests and the Code has been revised;*
- *Process should reflect impartiality of review; Support business development and strive to prevent obstruction of business development.*

With no further comment from Council, Mayor Colbert called for a vote on the motion.

Motion passed in a 6-1 vote.

Mayor Colbert called for a recess at 9:00 PM. Meeting reconvened at 9:10 PM.
approved

Aye: 6 - Anderson, Baldwin, Brill, Ramakis, Springsteen and Colbert

Nay: 1 - Allen

6. Regular Business

A. 9:00 pm - 9:30 pm Resolution of the Town of Vienna, Virginia Town Council opposing proposed redistricting of Vienna students from James Madison High School

Mayor Colbert read into the record a resolution opposing the proposed Fairfax County Public School redistricting plan and urging the members of Fairfax County School Board to reconsider scenario #4 and to find a solution that ensures all Town of Vienna residents continue to attend James Madison High School.

Council discussion included the following.

- *Council generally does not involve itself in school issues; George C. Marshall High School has an excellent academic program; Request is based on geography;*
- *Students districted to James Madison High School may continue to request*

attendance at George C. Marshall High School;

- Ninety-one Vienna students would be impacted by this change;
- Similar issue in 1984 was positively resolved;
- Proposed redistricting unrelated to voting or managerial districts.

It was moved to approve the resolution opposing the redistricting of Town of Vienna students from James Madison High School to George C. Marshall High School and ensure all Town of Vienna residents continue to attend James Madison High School. Motion, Council Member Baldwin; second, Council Member Springsteen.

An amendment was offered by Council Member Ramakis to remove the language "continue to attend" and replace with "be within the school boundary to attend".

Motion, Council Member Ramakis; second, Council Member Anderson.

Town Attorney Briglia, in response to a request for assurance that the resolution is appropriate, noted that the Council has a history of weighing in on these types of boundary line issues.

With no additional comments, Mayor Colbert called for a vote on the amendment.

Motion carried unanimously.

An amended motion was made to approve the resolution opposing the redistricting of Town of Vienna students from James Madison High School to George C. Marshall High School and ensure all Town of Vienna residents be within the school boundary to attend James Madison High School.

Motion carried unanimously.

approved as amended

Aye: 7 - Allen, Anderson, Baldwin, Brill, Ramakis, Springsteen and Colbert

B. 9:30 PM - 10:00 PM Request approval to increase FY26 spending with Brightview Landscape Services, Inc., for horticulture services.

Mayor Colbert recognized Nicole Falceto, Deputy Director, Parks and Recreation to present the Item.

A motion was made to modify the Town's contract with Brightview Landscape Services, Inc., and to approve an additional \$67,751.55 in expenditures for FY26 for mowing and horticulture services from Account Number: 100-107-1071-17120-43308.

Motion, Council Member Baldwin; second, Council Member Ramakis. Motion carried unanimously.

approved

Aye: 7 - Allen, Anderson, Baldwin, Brill, Ramakis, Springsteen and Colbert

C. 10:00 PM - 10:30 PM Capital Improvement Plan (CIP) Approval 2026 - 2042

Mayor Colbert recognized Steven Barlow, Director, Finance to present the Item.

Comments from Council included the following.

- Concern that the funding request for updated costs on the Center St./Maple Ave. drainage project is not on the list as requested; Requested funds of \$50,000 for this request can be added without affecting the fiscal model;
- Concern that Owaissa St./Glyndon St. project continues to be pushed back; Revised CIP reflects project moved forward to 2026; Once approved the process will commence with application for NVTAF funds;
- Clarifying edits were not included;
- Capital Improvement is defined as having a useful lifespan of 5-10 years and meeting the minimum threshold of \$50,000 established by the budget committee; Town pays interest on borrowed money for capital projects over 20 years; Projects that fall below the threshold are built into the operating budget.

Town Manager Payton clarified that State Code indicates that requests cannot exceed 10% (Town caps at 1%). Town revenue projections make certain that all projects within this CIP consideration through 2042 are accounted for with projected revenues in the years to come. The CIP is reviewed every year (planning year followed by bond year) which results in a constant state of reassessment, matching revenues with projects to assure ability to handle the expenses. All assumptions are conservative.

A motion was made to approve the 2026 - 2042 Capital Improvement Plan as presented.

Motion, Council Member Brill; second, Council Member Baldwin.

An amendment was proposed to include \$50,000 in the 2026 Bond Year request for upgrading the 2015 Center St./Maple Ave. drainage study financials.

Motion, Council Member Springsteen; second Council Member Anderson.

Motion carried in a 6-1 vote.

A second amendment was offered to replace the line item title of "aquatics and fitness center design and construction" with "upgrades for park facilities" in the 2028 and 2030 CIP.

Motion, Council Member Anderson; second, Council Member Springsteen.

Comments by Council are summarized as follows:

- Parks Master Plan includes numerous references to enhancing existing facilities and ensuring sufficient resources are available; Plan estimates existing facility maintenance costs of \$24.4 M over next ten years; Cannot support earmarking new item;
- Must maintain Town parks;
- Several items have been moved forward in CIP to accommodate park maintenance need;
- Parks Master Plan references accessibility to health and fitness opportunities;
- Caution against sending mixed signals to residents;
- Amendment demonstrates good will and understanding of community served.

Mayor Colbert called for a vote on the second amendment.

Motion failed in a 1-6 vote.

Mayor Colbert called for a vote on the amended motion which reads as follows:

It was moved to approve the 2026 - 2042 Capital Improvement Plan to include \$50,000 in the 2026 Bond Year request for upgrading the 2015 Center St./Maple Ave. drainage study financials.

Ave. drainage study financials.

The amended motion passed in a 5-2 vote.

approved as amended

Aye: 5 - Baldwin, Brill, Ramakis, Springsteen and Colbert

Nay: 2 - Allen and Anderson

D.

10:30 PM - 10:45 PM Town Holiday Ornament

Mayor Colbert called on Shelley Kozlowski, Town Clerk, to present the Item for discussion.

To date over \$9,000 has been donated to the Vienna Arts Society through sale of the Holiday Ornaments. This year's ornament will support Vienna VA 250 events.

A motion was made to approve the holiday ornament sale and allocate the net proceeds from the sale of the holiday ornament for donation to Historic Vienna Incorporated for support of the Vienna VA 250 initiative.

Motion, Council Member Baldwin; second, Council Member Ramakis.

Motion carried unanimously.

approved

Aye: 7 - Allen, Anderson, Baldwin, Brill, Ramakis, Springsteen and Colbert

7. Meeting Adjournment

With no additional business, Mayor Colbert called for a motion to adjourn at 10:05 PM.

Motion, Council Member Springsteen; second, Council Member Brill.

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.