



Town of Vienna

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

Meeting Minutes - Final Town Council Meeting

Monday, October 7, 2024

7:30 PM

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

Invocation: Mercury Payton, Town Manager

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

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

1. Roll Call

2. Acceptance of the Minutes:

- A. [24-4694](#) Acceptance of the Regular Council Meeting Minutes of September 23, 2024, and the Work session minutes of September 16, 2024

The Regular Council Meeting Minutes of September 23, 2024, and the Work Session Minutes of September 16, 2024 were approved as submitted.

A motion was made that the Action Item be approved. The motion carried by the following vote:

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 from the Public.

*Pablo Perez, 501 Windover Avenue, NW
I live on the corner of Windover and Nutley. My family and I have lived in this home for over ten years. When we moved in we were aware that James Madison High School was only a block away. We were prepared for the morning and afternoon rush as kids would come and go from the school. There was very limited parking already at this point. As the years passed the Town took away more and more of the available street parking. We were told it was because of the heavy traffic and the narrowness of the street for both parked cars and the flow of traffic. Today there is no parking in front of my house; no parking across the street from my house; and no parking next to my house. My next door neighbor also shares this problem. We are the only single family homes on this part of the street. There are nearly twenty townhomes tucked away on the remainder of Windover Avenue. In addition to the automobile traffic there is also foot traffic both on Windover and Nutley. Unfortunately, only one side of Windover has a side walk and only one side of Nutley has a side walk making walking on either side of these streets dangerous, as well as congested. When we moved in there was no Carnegie Diner, no WAWA, no English Pub, no Oak Room, no carwash, not even a Chick-fil-a. I welcome all these new businesses; in fact, the more, the merrier. Unfortunately, the heavy congestion, lack of parking and dangerous walking routes have made this part of Windover unsafe. A few weeks ago I was made aware that my neighbor across the street had*

sold her home and a large land parcel. I will very much miss the Holmes family and their vegetable garden and annual Christmas lights. I was also made aware that the new owner of this parcel, a developer, may apply for a variance to add more than the permitted two single family homes. Rumor has it that they may try to build as many as twelve townhomes. I don't put too much stock in rumor but this is not my first rodeo. Any variance from single family homes would be catastrophic. If the builder is asking for twelve, they may settle for six or four, but I vehemently oppose any variance at all. Windover Avenue/Nutley St. is not a safe intersection. Illegal street parking has now become an issue. At least once/month I am blocked in my own driveway. Again, I love all the new businesses [in my neighborhood]; I love this Town and I love that I am only one block from Maple Avenue. But I fear that someone may be hurt at this intersection.

Biswas Hitlar, 503 Windover Avenue, NW

My neighbor who just spoke mentioned all but one point that I wanted to make [about this proposed development]. There is not just one school that affects traffic at this intersection, there are three; James Madison High School, Greenhedges private school and Louise Archer Elementary School. I have lived at this address since 2013. We wanted to express our concern if there is, in fact, to be townhomes built across the intersection. Thank you for your attention.

Avril Garland, 917 Hillcrest Dr.

I recently visited the food pantry on Prosperity Avenue. I asked to see the freezer and discovered it was a large walk in type unit. It was also three quarters empty. I asked why and was told they are short of supply, especially red meat. I inquired if they would accept venison and was told yes, especially since it would be a free donation. I appeal to Council to reconsider the ban on culling deer, because we stand between the people who need this food [and a readily available source].

Erin Prentice, 706 Park St, SE

I wished to express my excitement regarding the sidewalk coming to Park St. Currently we have asphalt. I grew up in Vienna, as did my husband. We moved back to Vienna after we started our family and move to our current home on Park St. The asphalt that fronts our house is in terrible condition [and in desperate need of repair]. It is particularly concerning in the dark due to the potential for falls. So I simply wanted to say thank you for this upcoming improvement to our street.

4. Reports/Presentations

- A. [24-4685](#) 7:45 p.m. - 8:00 p.m. Proclamation for National Community Planning Month

Mayor Colbert read into the record a proclamation naming the month of October 2024 as Community Planning Month, a part of National Planning Month.

- A. Report and Inquiries of Council Members

Council Member Baldwin expressed appreciation to the VBA for the successful Octoberfest.

Council Member Brill noted the 50th anniversary of the W&OD Trail. He also asked Council to reflect on the challenges faced by all those affected by the recent hurricanes in the south.

Council Member Springsteen reminded all that the most effective and responsive way to convey problems around Town is through Vienna Connect. He also gave a shout

out to former Council Member (and current Planning Commissioner) Douglas Noble, who was in attendance.

Council Member Allen reminded Council that they represent a very diverse community with diverse opinions. Council is challenged to be open and respectful of all opinions.

Council Member Anderson remarked on his attendance at the celebration of the 50th anniversary of the W&OD Trail. He noted particularly the tenacious involvement of Vienna resident Barbara Hildreth in helping to make the trail a reality.

B. Report of the Town Manager

Town Manager Payton called on Marion Serfass, Director, Finance, to report on receipt of the Award for Fiscal Excellence. Director Serfass particularly recognized the efforts of Christina Butler, Budget Manager, for her efforts toward the special recognition for strategic goals and strategies.

Town Manager Payton also recognized Natalie Guelmus, Director, Economic Development, who will be leaving the post to take a position with the Town of Virginia Beach.

C. Report of the Mayor

Mayor Colbert thanked the VBA for the successful Octoberfest.

She noted that it was an honor for the Town of Vienna to be chosen to host the 50th anniversary of the W&OD Trail.

Mayor Colbert, Town Manager Payton, all Council Members and Town Attorney Briglia will be attending the Virginia Municipal League (VML) Conference this coming weekend in Richmond.

In light of public curiosity regarding Council discussions around an aquatics facility and a temporary \$.01 raise in meals tax, Mayor Colbert proposed a Town Hall meeting for October 22, 2024. This would be followed by a Public Hearing in November. The proposal passed through a show of hands. The Town Hall will be held in the Council Chambers from 6:30 PM-8:30 PM.

D. Proposals for Additional Items to the Agenda

Council Member Springsteen proposed an additional Item to discuss a change in the Town calendar - December 24th from ½ day to full day holiday for Town Staff.

Mayor Colbert noted that this will become Item C under Regular Business on tonight's 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 October 7, 2024 at 6:30 PM in accordance with Virginia Code, Section 2.2-3711, (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 October 20, 2024 at 6:30 PM 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.

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

It was moved to appoint Jack Thomas to the Bicycle Advisory Committee for a two-year term. Said term to be effective October 8, 2024 and expire October 8, 2026.

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

A motion was made by Jessica Ramakis, seconded by Howard J. Springsteen, that this was approved. The motion carried by the following vote:

5. Public Hearings

- A. [24-4657](#) 8:00 p.m. - 8:30 p.m. Public Hearing on 2024-25 Budget Supplemental Appropriations (Purchase Orders Rolled Forward and 2024 Surplus Carried Forward)

Mayor Colbert opened the Public Hearing at 8:10 PM. All members of Council were present.

Following a presentation of the item by Marion Serfass, Director, Finance, Mayor Colbert opened the floor for comment from the public.

Matt DiFiore, 207 Owaissa Ct., SE

In addition to the desire to put additional money toward Information Technology, the Town should seriously consider knowledge management. I believe I heard something from a recent Work Session that Communications and Public Information might be a topic the Town plans to emphasize in the future. It's been my experience that it's very difficult to understand or gain access to information that at one time was readily available. Now, with the way IT is set up, it's very difficult. Based on this, knowledge management is critical. I don't know if the Town has a prescribed system to do this consistently and accurately. If done correctly it will help with freedom of information requests. I don't know if the Town has ever done anything like this in the past. So, if there's extra dollars, you might want to look into this idea so things can be done smarter.

With no additional comments from the public Mayor Colbert called for a motion to close the Public Hearing at 8:20 PM.

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

Mayor Colbert opened the floor for discussion from Council. Questions regarding the Outdoor Lighting Study were addressed and Council was urged to consider in the next budget cycle, the topic of knowledge management as offered by the speaker this evening.

A motion was made to adopt the \$2,571,170 amendment to the FY 2024-25 General Fund budget as presented and direct the Town Clerk to advertise a Notice of Adoption.

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

A motion was made that the Action Item be Failed. The motion carried by the following vote:

6. Regular Business

A. [24-4674](#)

8:30 p.m. - 9:00 p.m. Request to set a Public Hearing Regarding Zoning Amendments and Refer to the Planning Commission for Consideration.

Mayor Colbert called on David Levy, Director, Planning and Zoning. He introduced Andrea West, Zoning Administrator and Kelly O'Brien, Deputy Director, Planning and Zoning.

It was agreed that simple grammar corrections would not require action by Council.

Attachment 2, Table of Corrections contained a change in the section for Multi-Unit Attached from 20 units per acre to 10 units per acre. Council requested a history on this item.

A motion was made to refer to the Planning Commission for consideration the proposed amendments to Chapter 18 Zoning and Subdivision Ordinance as presented in Attachment 2, Table of Corrections, eliminating Item D (Section 18-220 Residential - MultiUnit Zone (RMU)).

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

Attachment 3, Table of Proposed Edits was presented to Council for comment. A summary of comments follows:

- A 5% deck coverage is very large; consider this to be coverage creep; Standard has not changed, only proposing clarifying language;
- Suggest adding exceptions to Windover Heights; Default is "no frontage improvements" but may be times when want to follow Staff recommendation; Larger Town initiated projects require Council approval as opposed to individual lot improvements;
- Medical office parking standards have been carried over from general office parking standards (no previous standards specific to medical); consider uniqueness of this profession – fewer staff absentee issues; heavy turnover of visitors;
- Nuisance property was unintentionally left out of revised Code; Definition of blighted nuisance property will be provided;
- Enforcement authorities have not been included; Code currently contains most up to date zoning enforcement powers (State Code); Will investigate other potential Town enforcement authority.

A motion was made to refer to the Planning Commission for consideration the proposed amendments to Chapter 18 Zoning and Subdivision Ordinance as presented in Attachment 3, Table of Proposed Edits.

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

Following a brief discussion, it was moved to set a public hearing for January 27, 2025 to receive Planning Commission recommendations and public input on proposed amendments to Chapter 18.

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

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

B. [24-4691](#)

9:00 p.m. - 9:30 p.m. Review Draft Accessory Living Unit Zoning Amendments, Make Edits, Refer Draft to Planning Commission, and Set a Public Hearing.

*Mayor Colbert called for a recess at 9:12 PM.
Meeting reconvened at 9:23 PM.*

Mayor Colbert recognized Kelly O'Brien, Deputy Director, Planning and Zoning, to present the Item.

Comments from Council are summarized as follows:

- *General support for the 800 sq. ft.-1000 sq. ft. size limit;*
- *Concern that no required separate entrance/exit may end with unintended consequences (second kitchen as opposed to living unit);*
- *State Code will always supersede Town Code;*
- *Thirty-day lease may be too short; followed State Code language;*
- *Language that ALU's may not lead to more than 25% lot coverage has already been included; Consider simplifying this language.*

It was moved to refer to the Planning Commission, for consideration and recommendation, the proposed amendments to Chapter 18 Zoning and Subdivision Ordinance as presented.

Motion, Council Member Springsteen; second, Council Member Baldwin. Motion carried in a 6-1 vote.

It was moved to set a public hearing for Nov. 18, 2024, on proposed amendments to Chapter 18 - Zoning and Subdivision Ordinance related to Accessory Living Units.

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

A motion was made by Springsteen, seconded by Baldwin, that the Action Item be approved. The motion carried by the following vote:

24-4707

Change December 24, 2024 to a full day off for staff

A motion was made to change December 24th from ½ day to full day holiday for

Town Staff.

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

A motion was made by Springsteen, seconded by Baldwin, that the item be approved. The motion passed by the following vote:

7. Meeting Adjournment

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Adjourn to Work Session

With no additional business, Mayor Colbert called for adjournment at 10:10 PM.

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.