



Town of Vienna

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

Meeting Minutes Town Council Meeting

Monday, August 26, 2024

7:30 PM

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

Invocation:

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

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

2. Acceptance of the Minutes:

- A. [24-4569](#) Acceptance of the Regular Council Meeting Minutes of July 8, 2024
Regular Council Meeting minutes of July 8, 2024 were approved with corrections.

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.

Avril Garland, 917 Hillcrest Dr.

I want to bring attention to an ongoing issue in Vienna....the deer population. Not only do they eat the vegetation, they destroy neighborhood relations. I'm referring to the tall wood fences that are being built in an effort to keep the deer at bay. Neighbors who used to chat with each other and exchange pleasantries have [built six-foot-high fences] to keep the deer out of their yards. It's chilling because it's very important to have a neighborhood network to help those in need. Please, just remember this when you are thinking about deer control. Thank you.

4. Reports/Presentations

- A. [24-4547](#) 7:45 p.m. - 7:50 p.m. - Proclamation For Constitution Week
Mayor Colbert read into the record a proclamation declaring the week of 9/17/2024 – 9/23/2024 as Constitution Week.
- B. [24-4586](#) 7:50 p.m. - 8:20 p.m. - Economic Development Department Quarterly Update
Mayor Colbert called on Natalie Guilmeus, Director, Economic Development to provide a review of the departmental activities. She recognized Ashley Curtis, Marketing and Business Engagement Specialist. Council congratulated the department on their success noting the low commercial vacancy rate (6.5%) as

compared to other neighboring jurisdictions. Director Guilmeus reported on the effort to improve the business license process through work with both Departments of Finance and Planning and Zoning.

A. Report and Inquiries of Council Members

Mayor Colbert opened the floor to Council for comment.

Council Member Springsteen reported on the excellent work by the Department of Public Works on the sidewalk installation along Beulah Rd.

Council Member Allen spoke in agreement with Council Member Springsteen. She urged however that Town projects should be as stress free as possible for effected residents. Council Member Allen further inquired of Council and Staff regarding programs to assist residents unable to pay property taxes/utilities. She requested a Work Session to address steps the Town can take to lessen the impact of current economic conditions on its low income population.

Council Member Baldwin thanked Staff for taking such good care of the Town during the summer break. He also alerted residents to an urgent request by Vienna Police who are seeking RING video of any current daytime breaking and entering. Details of this issue are on the Town's website.

Council Member Ramakis thanked Town Staff for continuing to make Vienna a great place to live. With the conclusion of Liberty Amendments month, she thanked Town Manager Payton for his leadership as well as Parks and Recreation for their hard work in making this event a success. Council Member Ramakis further thanked Parks and Recreation for their successful summer social events.

B. Report of the Town Manager

Town Manager Payton extended his thanks to the Department of Human Resources as well as Sanitation and the Vienna Police for their hard work over the summer break. He called on Brad Baer, Director, Public Works to introduce the newly appointed Deputy Director of Engineering in Public Works, Alan Chen.

C. Report of the Mayor

Mayor Colbert reminded all of the September 10, 2024 Mayor and Chief at Your Service event. The topic for discussion will be Mental Health and Suicide Prevention for our Youth. The Maple Ave/Church St. landscaping continues to receive positive review. Council is thanked for their continued support of this initiative. The Vienna Youth Players completed a successful summer run. The 2024-2025 school term has begun. Residents are encouraged to support all the various school programs where possible.

D. Proposals for Additional Items to the Agenda

E. Closed Session Report

Item 9. 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 August 24, 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.

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 later this date, Monday August 26, 2024 at the conclusion of the Regular Meeting in accordance with Virginia Code, Section 2.2-3711. a(3) for discussion or consideration of acquisition of real property in Code Section 2.2-3711.a(7) for consultation with legal counsel and briefing by Staff where such consultations or briefings in open meeting would adversely affect the negotiating posture of the public body.

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

Per the Board of Architectural Review, it was moved to appoint John O'Keefe as BAR representative to Windover Heights Board of Review for a two-year term. Said term to be effective August 27, 2024 and expire August 27, 2026.

It was moved to reappoint Mike Cheselka as a Board of Architectural Review representative to the Vienna Public Arts Commission for a term to begin August 27, 2024 and expire February 1, 2025.

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

A motion was made by Jessica Ramakis, seconded by Roy Baldwin, that this was approved. The motion carried by the following vote:

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

5. Consent Agenda 8:20 p.m. - 8:30 p.m.

A motion was made to remove Items A and F from the Consent Agenda to be considered under Regular Business Items E and F.

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

A motion was made to remove Item C from the Consent Agenda to be considered under Regular Business as Item G.

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

A motion was made to approve Consent Agenda Items B, D, E, and G.

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

B. [24-4527](#) Award of IFB 24-30 for On Call Asphalt Milling, Overlay & Traffic Marking to Arthur Construction (Primary) and Brothers Paving & Concrete (Secondary) and request for FY25 spending

D. [24-4584](#) Set a Public Hearing on 2024-25 Supplemental Appropriations (Carryforwards)

"I move to set a public hearing to discuss fiscal year 2024-25 supplemental general fund budget appropriations for Oct. 7, 2024 "

Or

Other action deemed necessary by Council.

E. [24-4588](#) Set a Public Hearing to Amend Town Code Definition and Application Of Meals Taxes at Special Events for the Nov. 16, 2024 Council Meeting.

G. [24-4591](#) Request approval with SHI for the continued use of Microsoft Office 365 product, application suite, and annual support services.

"I move to approve the appropriation of \$79,620.00 for Microsoft Office 365 product and application suite for annual maintenance and support services."

Or

Other actions as deemed necessary by Council.

6. Regular Business

A. [24-4523](#) 8:30 p.m. - 8:45 p.m. - Request to Award a Purchase Order to Accu-Steel, Inc. for the fabrication and installation of Canopy Covered Stockpile Bins at the Northside Property Yard

Mayor Colbert called on Brad Baer, Director, Public Works, to present the Item for consideration.

A motion was made to approve a purchase order to Accu-Steel, Inc. in the amount of \$142,740 for canopy covered stockpiles, plus 25% in contingency for a total authorization of \$178,425.

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

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

B. [24-4581](#) 8:45 p.m. 9:15 p.m. - Request award of IFB 24-01 to KBS Earthworks, Inc. for the Bear Branch - Southside Park Stream Restoration construction project

Mayor Colbert recognized Brad Baer, Director, Public Works to present the Item for discussion.

Council requested clarification on the failure to be granted easement for the project. Town Attorney Briglia will explore the issue with the property Trust designees. Lack of an easement will not directly affect the success of the project. The project is designed to address, among other things, water issues at Southside Park.

A motion was made to award IFB 24-01 to KBS Earthworks, Inc. in the amount of \$1,644,609.79 for the Bear Branch - Southside Park Stream Restoration Construction project plus 20% in contingency for a total authorization of \$1,973,532.

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

"I move to award IFB 24-01 to KBS Earthworks, Inc. in the amount of \$1,644,609.79

for the Bear Branch - Southside Park Stream Restoration Construction project plus 20% in contingency for a total authorization of \$1,973,532 as described in this report."

Or

Other action deemed necessary by Council.

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

C. [24-4583](#) 9:15 p.m.- 9:45 p.m. - Award of RFP 24-19, 1st Floor Town Hall Renovation - Architectural Drawings for Construction

Mayor Colbert once again recognized Brad Baer, Director, Public Works to present the Item.

It was moved to approve the award of RFP 24-19 to Dewberry Architects, Inc. in the amount of \$270,000, plus 25% contingency for a total authorization of \$337,500 for first floor Town Hall Renovation design services.

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:

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

D. [24-4587](#) 9:45 p.m. - 10:15 p.m. -Request Approval to Amend Town Business Liaison Committee Resolution & Bylaws

Mayor Colbert suggested the Item be moved to the Work Session of 9/23/2024.

A motion was made to remove the request for approval to amend the Town Business Liaison Committee resolution/bylaws from the current agenda. It was further moved that the Item be taken up for consideration at the Work Session of 9/23/2024.

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

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

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

A. [24-4579](#) Approve Spending Increase for Final Progress Billing with Franco's Liberty Bridge, Inc. for Construction of the Freeman Store Pedestrian Bridge Replacement

Mayor Colbert called on Brad Baer, Director Public Works to present the Item for consideration.

A motion was made to increase the current contract amount of \$292,939.67 by \$16,341.02 for a total contract authorization of \$309,280.69 for the reconstruction of the collapsed Freeman Store pedestrian bridge with Franco's Liberty Bridge, Inc.

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

carried in a 6-1 vote.

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

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

Nay: 1 - Allen

F. [24-4580](#) Request approval to purchase FY25 Vehicle Replacement Program (VRP) vehicles/equipment.

Mayor Colbert once again recognized Brad Baer, Director, Public Works to present the Item for consideration.

The following provides a summary of comments from Council.

- *Given the extra expense, it may be too soon to include electric vehicles in the fleet;*
- *Overall savings realized from electric versus gas will likely offset the initial cost of the vehicle;*
- *Timing may be right to ease into the inclusion of electric.*

With no further comment, Mayor Colbert called for a motion.

A motion was made to approve blanket purchase authority for the Vehicle Replacement Program vehicles as described in this report for a total amount not to exceed \$2,011,300. Any contract utilized for such purposes shall be in accordance with the cooperative procurement provisions of the Virginia Public Procurement Act.

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

In response to Council, Town Attorney Briglia clarified that the motion is a request for blanket purchase authority. Given the back log for replacement vehicles, this action will provide authority to purchase by riding existing contracts; an emergency measure to allow Town vehicle replacement to stabilize.

Mayor Colbert called for a vote on the motion on the floor.

Motion passed in a 6-1 vote.

C. [24-4585](#) Approval To Publish a List of Delinquent Real Estate Tax Payments as of Aug. 26, 2024

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

In response to concerns expressed by Council, Deputy Director Barlow noted the various means available to residents for acquiring tax relief. He emphasized that delinquent notices are sent monthly and additional information is available on the Town website. Town Manager Payton noted the high collection rate as a positive sign. Town Attorney Briglia clarified that the delinquent real estate tax list is, by law, presented to Council. The Item could be moved from a Regular Business item to a Presentation on future agendas.

Mayor Colbert called for a motion on the Item.

A motion was made that the FY 2024 delinquent real estate property tax list, as submitted by the director of finance, exclusive of those taxes paid since June 30, 2024, be published in a newspaper of general circulation in Town and posted on the

Town's website. It was further moved that delinquent real estate property taxes be recorded as a tax lien against said properties. And it was further moved to direct the director of finance to write off delinquent annual tax bills of \$5 or less.

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

Council moved into closed session at 10:00 PM.

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

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

Nay: 1 - Allen

E. 24-4607 Second Closed Session

Mayor Colbert reconvened the Regular Meeting 10:05 PM.

It was moved that the members of the Vienna Town Council be polled to affirm that a second Closed Session was held on August 24, 2024 in accordance with Virginia Code, Section 2.2-3711. a(3), for discussion or consideration of acquisition of real property in Code Section 2.2-3711.a(7) for consultation with legal counsel and briefings by Staff where such consultations or briefings in open meeting would adversely affect the negotiating posture of the public body.

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 August 29, 2024 at 6:00 PM and September 9, 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 Baldwin. Motion carried unanimously.

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

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

Absent: 1 - Brill

7. Meeting Adjournment

Mayor Colbert called for a motion to adjourn at 10:10 PM.
Motion, Council Member Springsteen.

A motion was made that this was adjourned.. The motion carried by the following vote:

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

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.

DRAFT