



Town of Vienna

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

Meeting Minutes Town Council Meeting

Monday, May 20, 2024

7:30 PM

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

Invocation:

Mayor Colbert called on Town Manager, Mercury Payton 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. [24-4456](#) Acceptance of the Regular Meeting Minutes of April 29, 2024 and May 6, 2024 and the Work Session Minutes of May 6, 2024.

The Regular Meeting Minutes of April 29, 2024 and May 6, 2024 and the Work Session Minutes of May 6, 2024 were accepted as presented.

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

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

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)

4. Reports/Presentations

- A. [24-4455](#) Proclamation for the 40th Anniversary of Viva Vienna

Mayor Colbert read into the record a proclamation recognizing May 26, 2024 as Viva Vienna Day in honor of the 40th anniversary of the event. Bob Dix, Gunner Spafford and Karl Lotspeich were present to receive the honor.

Mayor Colbert called on Michele Crabtree, Director, Human Resources, to introduce the students from Madison High School who will be interning at Town Hall.

A. Report and Inquiries of Council Members

Mayor Colbert opened the floor to Council for comment.

Council Member Ramakis thanked the student interns for their work and further recognized all those who would be graduating from area High Schools in the

coming weeks. She also noted participation at Viva Vienna as a volunteer. Council Member Ramakis thanked the Vienna Optimist Club for their work and sponsorship of the Vienna Farmers Market. She spotlighted the composting pilot program effort and thanked the Conservation and Sustainability Commission and Allen Chen, Public Works for developing the program.

Council Member Springsteen remarked on the excellent work by Public Works on the retaining wall and sidewalk along Lawyers Road. He highlighted the added safety and accountability provided by this Maude Robinson Sidewalk project.

Council Member Allen provided snapshots depicting early morning noise generated by construction vehicles. She also noted the problem of construction vehicles blocking driveways. Council Member Allen also thanked the student interns for their work at Town Hall.

Council Member Anderson recognized an additional Madison High school intern who will be working at his firm, Capital Trade, Inc.

Council Member Brill thanked the interns for their work and their effort to make a difference.

B. Report of the Town Manager

Town Manager Payton thanked the Staff of the Department of Public Works for the successful Public Works Day last week.

C. Report of the Mayor

Mayor Colbert thanked all who attended the community meeting on the Parks Master Plan held May 16, 2024. She encouraged completion of the online survey.

Mayor Colbert thanked the Bicycle Advisory Committee for the organized rides held on May 19, 2024.

Viva Vienna will be held this coming weekend, May 25-27, 2024.

Finally, Mayor Colbert inquired of Staff if the number of houses built within the Town was determined by zoning. David Levy, Director, Planning and Zoning responded that due to lot sizes and the finite amount of land, there naturally is a fixed number of homes within the Town limits.

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 May 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.

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 June 3, 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 Nate Konopka to the Board of Architectural Review for a two-year term. Said term to be effective July 1, 2024 and expire July 1, 2026.

It was moved to appoint Patrick Kearney to the Pedestrian Advisory Committee for a two-year term. Said term to be effective May 21, 2024 and expire May 21, 2026.

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

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

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

5. Consent Agenda

A motion was made to approve the Consent Agenda, Items A and B as presented. Motion, Council Member Springsteen; second, Council Member Baldwin. Motion passed unanimously.

A motion was made by Howard J. Springsteen, 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

- A. [24-4423](#) Award of IFB 24-20 for Asphalt Repair - As Needed to Espina Paving (Primary) and Resurface, Inc. (Secondary)
- B. [24-4424](#) Request award of IFB 24-24 for Construction and Demolition Debris Disposal and Request for FY25 Spending

6. Regular Business

- A. [24-4426](#) Intent to Adopt Real Estate Tax Rate for FY2024-25

Mayor Colbert called on Marion Serfass, Director, Finance to present the Item for consideration.

A public hearing on the proposed real estate tax rate of \$0.195 per \$100 of assessed value for fiscal year 2024-25 was held April 29, 2024. At the public hearing, Council approved the rate to be adopted. The FY2024-25 budget to be adopted is based on the rate of \$0.1950, along with continuation of the current bank net capital rate of \$0.80 per \$100 of valuation, residential utility tax rate of 20% of the first \$15 and a commercial utility tax rate of 15% of the first \$300.

The Code of Virginia, section 58.1-3321, B, defines the "Lowered Tax Rate" as the tax

rate which would levy the same amount of real estate tax as the previous year when multiplied by the new assessed value. The State Code further defines the "Effective Rate Increase" as the difference between the Lowered Tax Rate and the Proposed Tax Rate. For the Town of Vienna, the proposed tax rate of \$0.1950 per \$100 of assessed value exceeds the lowered tax rate of \$0.1888 per \$100 of assessed value by \$0.0062, resulting in an effective tax rate increase of 3.3%.

Mayor Colbert called for a motion on the Item.

A motion was made to approve a resolution setting tax rates for the fiscal year beginning July 1, 2024 as follows:

- Real Estate Tax Rate of \$0.1950 per \$100 of assessed valuation
- Bank Net Capital Tax Rate of \$0.80 per \$100 of valuation
- Residential Utility Tax Rate of 20% of the first \$15
- Commercial Utility Tax Rate of 15% of the first \$300."

And it was further moved that the Town Clerk be directed to advertise a Notice of Adoption.

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. [24-4427](#)

Intent to Adopt FY 2024-25 Operating Budget

Mayor Colbert once again called on Director Serfass to present the Item for consideration.

The Town Manager's proposed budget has been reviewed in detail during three Council budget work sessions on Jan. 22, March 11 and March 16, 2024, and during a public hearing on April 8, 2024. It reflects current economic conditions related to inflation and supply chain issues, and the top-ranked new initiatives as identified by Council. The general fund budget includes a real estate tax rate of \$0.195 per \$100 of assessed value and increases in salaries and other costs to meet current economic conditions and to be competitive in the hiring sector.

The budget, proposed for adoption as revised for fiscal year 2024-25, in the total amount of \$53,766,620, is appropriated for the fiscal year beginning July 1, 2024 and ending June 30, 2025, and is detailed by fund as follows:

FUND:

General Fund \$33,074,250
 Debt Service Fund \$ 6,511,700
 Water & Sewer Fund \$13,410,950
 Stormwater \$ 769,720
 TOTAL \$53,766,620

Mayor Colbert called for discussion. Council comments are summarized as follows:

- The Town of Vienna Charter does not allow for the creation of a homeless shelter within the Town limits; Residents pay taxes and these services are received from the County of Fairfax;
- Funding for diversified housing within the Town limits could potentially result

in defunding popular programs or increasing the tax rate.

A motion was made to adopt the \$53,766,620 operating budget and it was further moved that of the said total, \$33,074,250 be appropriated for general fund expenditures; \$6,511,700 be appropriated for debt service fund expenditures; \$13,410,950 be appropriated for water and sewer fund expenditures; and \$769,720 be appropriated for stormwater fund expenditures.

*Motion, Council Member Springsteen; second, Council Member Brill.
Further comments by Council included recognition of the inclusion of family leave.
The motion passed unanimously.*

A motion was made by Springsteen, seconded by Brill, that the Action Item be approved.

The motion carried by the following vote:

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

C. [24-4428](#)

Intent to Adopt FY2024-25 Water and Sewer Rates

Mayor Colbert again recognized Director Serfass to present the final

Town water and sewer rates for consumption and service charges are based on the results of a rate study conducted in FY2023-24, which laid out a plan for five years to ensure the fund has adequate operating reserves.

Due to inflation and higher-than-average increases in the cost of replacing pipes, the wholesale cost of water and the treatment cost for sewer, rates need to be increased to keep the fund in balance and support its goals.

Water rates are budgeted to increase 10.1 percent, and sewer rates are also budgeted to increase by 9.8 percent, both based on actual billed experience by rate tier and costs to purchase water and sewer line replacements, and wholesale water and sewer treatment costs. Fixed service charges are proposed to increase from \$35.00 to \$40.00 per quarter for most residential customers, or 14.3 percent. This increase is necessary to bring the total percentage of fixed charges in line with industry standards. Commercial customers' fixed charges are proposed to increase by 10.1 percent based on meter size.

A motion was made to adopt an ordinance setting water and sewer rates for fiscal year 2024-25, beginning July 1, 2024, as presented.

It was further moved to direct the Town Clerk to advertise a Notice of Adoption.

Council reminded residents that these rates are adopted for 2024-2025. Any discussion of outyear rates will be held at a future Town Council meeting.

Town Manager Payton thanked the Council and budget committee for once again presenting a balanced budget.

Mayor Colbert called for a vote on the Motion.

Motion passed in a 6-1 vote.

Mayor Colbert called for a recess at 8:25 PM. Meeting reconvened at 8:30 PM.

A motion was made by Baldwin, seconded by Springsteen, 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

D. [24-4450](#) Continued Discussion (Part 5) of Potential Zoning Amendments, as Follow-Up to Code Create

Mayor Colbert called on David Levy, Director, Planning and Zoning to lead the discussion on the Item.

During the recent code update process, it was determined that the ordinance is a dynamic document subject to regular review. As such, throughout the rewrite process certain topics were identified as "pinned" items that, for various reasons, would need to be addressed after the updated Chapter 18 was adopted. The process was begun on February 12, 2024. Director Levy related that the intention of this discussion was to review as many of the "pinned" items as time permits and receive guidance from the Council on which to advance for additional zoning amendments. Given the time constraints on Staff and the desire to allow time for the recently adopted code to be put into use, Council has been asked to determine which of the pinned items require more immediate consideration. Council's priority assessment is organized into three options:

- *High interest*
- *Low interest*
- *Not in favor*

The final 6 Items were presented to Council for ranking as follows:

#14 Façade Breaks

Must be clarified; Input from builders might be helpful.

High Interest

Vote 7-0-0

#22 Lot Deviation

Current language has created situation that allows for clear cutting; Recommend exception clause for truly uneven lots.

High Interest

Vote 7-0-0

#24 Open Space

Item has been discussed at length; Rewrite provided for 15% requirement where none existed before; Increase may be premature.

Low Interest

Vote 0-5-2

#28 Rezone Beulah Property from RS-12.5 to Parks and Recreation Zone

- *Recommend tabling consideration until completion of Parks Master Plan;*
- *Leaf storage is not an appropriate use.*

Town Attorney Briglia stated that the site is currently zoned residential and can be rezoned for community use at any time. This step would require inclusion in the Comprehensive Plan. The Item is not a Code Create Item. A vote for Not in Favor will trigger discussion for inclusion in the Comprehensive Plan.

Not in Favor

Vote 0-0-7

#31 Public Art Requirement in Commercial District

- *Cannot be required;*
- *Potential exists to create incentives.*

*Low Interest
Vote 3-4-0*

#33 Increase setback and wall height (parking lot abutting residential)

- Wait to see results of revised Code;*
- Current Code is very restrictive/protective.*

*Not in Favor
Vote 1-1-5*

Director Levy thanked Council for their effort in ranking the final Items for Code consideration. The Items ranked as High Interest will be collected and brought back to Council for discussion on a schedule as decided by the Town Manager. The Town Attorney and the Planning Commission (as required by State law) will review any potential zoning ordinances.

In response to Council, Director Levy encouraged Council to highlight any priorities. Of particular interest to one Council Member was the authority of Town Staff to enforce temporary signs (as part of the larger Signage discussion which received a vote of High Interest).

7. Meeting Adjournment

With no further discussion, Mayor Colbert called for a motion to adjourn at 9:10 PM. Motion, Council Member Springsteen; second, Council Member Brill.

This matter was adjourned

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.