



Town of Vienna

Meeting Minutes

Town Council Meeting

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

Monday, January 7, 2019

8:00 PM

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

Regular Meeting

Invocation: Pastor Garry Genser, Vienna Seventh-Day Adventist Church

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

1. Roll Call

Present: 7 - Council Member Tara Bloch, Council Member Linda Colbert, Council Member Pasha Majdi, Council Member Douglas Noble, Council Member Carey J. Sienicki, Council Member Howard J. Springsteen and Mayor Laurie DiRocco

2. Approval of the Minutes:

- A. [18-1130](#) Approval of the Regular Council Meeting Minutes of September 17, 2018, December 10, 2018 and the Work Session Minutes of November 5, 2018.

It was moved to approve the Regular Council Meeting minutes of September 17, 2018, December 10, 2018 and the Work Session Minutes of November 5, 2018 as submitted.

A motion was made by Council Member Sienicki, seconded by Council Member Noble, that the Minutes be approved. The motion carried by the following vote:

Aye: 7 - Council Member Bloch, Council Member Colbert, Council Member Majdi, Council Member Noble, Council Member Sienicki, Council Member Springsteen and Mayor DiRocco

3. Receipt of petitions and communications from the Public that is not on the Agenda. (Limited to 5 minutes per issue and no formal action can be taken this evening)

Local Boy Scouts from Troop #987 and #976 introduced themselves to Council, they are working on their Citizenship in the Community Merit Badge.

4. Reports/Presentations

- A. [18-1107](#) Proclamation for the National Day of Racial Healing

Councilmember Springsteen presented a Proclamation recognizing January 22, 2019 as the National Day of Racial Healing in the Town of Vienna.

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

Aye: 7 - Council Member Bloch, Council Member Colbert, Council Member Majdi, Council Member Noble, Council Member Sienicki, Council Member Springsteen and Mayor DiRocco

- [18-1131](#) Proclamation for School Choice Week January 20th - 26th, 2019.

Councilmember Colbert presented a Proclamation for School Choice Week recognizing January 20-26, 2019 as School Choice Week in the Town of Vienna.

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

Aye: 6 - Council Member Bloch, Council Member Colbert, Council Member Majdi, Council Member Noble, Council Member Springsteen and Mayor DiRocco

Nay: 1 - Council Member Sienicki

A. Report and Inquiries of Council Members

Councilmember Springsteen asked what that status was with the Marco Polo blight issue. Mr. Payton stated that there was a letter sent out to the representatives of the ownership there regarding the property and the conditions and urging them to remediate that. They have not had any follow-up contact in writing from them. He is not aware of any follow-up from them from the letter that he had sent indicating that they need to remediate that problem. Councilmember Springsteen asked if they were given a deadline. Mr. Payton stated it was a 30 day notice. Ms. Petkac stated that after the letter went out they did get an application for a demo permit. It was sent over to Public Works and there were some comments from Public Works staff that some information was missing from the application. They are waiting for that information to come in so they can finish processing and approving the demo permit.

Councilmember Springsteen asked the Town Attorney for an update on the Bey Lounge noise complaints. Mr. Briglia stated they have had another noise violation from amplified music. They have been cited four times. The first two cases are coming up on January 14th. There is no Attorney of record at this point so it may get continued so they can get an Attorney. The third offense is scheduled for February 11th, he does not have a court date yet for the most recent charge but they may get consolidated. He provided further information on the Conditional Use Permit. In speaking with Ms. Petkac, Director of Planning and Zoning, their thought was that as soon as the prosecution cases are done they will present a motion to the Board of Zoning Appeals to revoke the Conditional Use Permit. They had done that once before and there had been some better behavior by Bey Lounge and they denied the request to revoke the CUP and granted it.

Councilmember Springsteen asked to schedule a work session discuss any proffers that are offered up and the timing of when they are submitted. Mr. Briglia asked if he was talking about proffers in re-zoning and Councilmember Springsteen stated yes. Mr. Briglia stated that he would check, he doesn't think there is a time frame. They have to be included with a re-zoning package, the proffers have to be sworn to and signed by the applicant. Councilmember Springsteen would like it on a work session to just talk about it. Mr. Payton stated he will add this to a future works session agenda.

Councilmember Springsteen asked the Town Manager about the memo he sent regarding meeting guidelines and protocol and when it would be rolled out to the public. Mr. Payton stated that the meeting guidelines are on the website now, the other document which is more internal, is just more context for Council as a whole as far as what the intent is for some of the protocols that are expressed on the website.

Councilmember Sienicki wished everyone a Happy New Year and thanked all the

town staff that keeps everything rolling while everything is quiet during the winter break.

Councilmember Sienicki followed up on a discussion they had regarding a bicycle rack on Church St. and wondered if anyone had reached out to Mr. Arrington. Mr. Gallagher, Director of Public Works, stated that he has reached out to Mr. Arrington and he is willing to meet with him. It was difficult to set something up over the holidays but he will reconnect with him and set something up.

Councilmember Sienicki announced that she will not be seeking re-election to another term on Council this coming year. This is not a choice that she has taken lightly, it has come from many months of introspection. It is very difficult to convey the reasons but she personally believes that term limits keep ideas fresh. She personally thinks they are useful and brings new ideas to town. She is also looking forward to achieving many personal pursuits and goals and as she and her husband go into pre-retirement years she looks forward to opening up some new chapters in their lives, especially being able to closely care for their aging parents and travel.

Councilmember Noble commended Ms. Herman and her staff in the Parks & Recreation Department, in terms of receiving requests for a town tree. It was removed within 18 hours of the request over the weekend and that is pretty good turn around time in his book. He thanked them for getting the tree removed and cleaned up in a some what trying circumstance with the request itself.

Councilmember Majdi asked what the time line would be on the work session item that was just discussed. Mr. Payton stated that we have work sessions planned through the month of May but he can move things around if need to be. Mayor DiRocco asked the Town Manager to come back to them with times that are available. Councilmember Noble stated that he personally would like to see that before either one of those applications gets to the Planning Commission for the first time where the Planning Commission would see whatever a proffer submission might be with either one of those prospective developments. Ms. Petkac stated they have a work session scheduled for February 11th to talk about where they are with the Maple Avenue Design Guidelines and changes to the MAC so it may be appropriate at that time to discuss proffers. Councilmember Noble stated that his point was not before it came before Council but before it came before the Planning Commission where they might actually have that conversation.

Councilmember Colbert stated that there will be more words when Councilmember Sienicki's term ends but she has been an excellent Councilmember in her opinion and has enjoyed sitting next to her at the dais and serving with her. She is looking forward to serving with her during the rest of her term. She is done loads for Vienna.

B. Report of the Town Manager

Mr. Payton thanked Councilmember Sienicki for her service and speaks for all the town staff, that they all really appreciate working with her and for her. Her interaction with us has been very professional and supportive. She has challenged us and made sure everything was in order and the way that she does that is something that we all cherish and enjoy and we really appreciate that.

C. Report of the Mayor

None

D. Proposals for Additional Items to the Agenda

None

E. Closed Session

It was moved that the members of the Vienna Town Council be polled to affirm that during the first Closed Session convened this date, Monday, January 7, 2019, the Town Council met for personnel matters, specifically, the interviewing of an individual for consideration of appointment to a Town Board or Commission, and discussion of Town Manager, Town Attorney, and Town Clerk annual performance evaluations.

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, January 7, 2019 at the conclusion of the Regular Council Meeting, in accordance with Virginia Code Section 2.2-3711.A.(3) for discussion or consideration of the acquisition of real property for a public purpose.

*Motion: Councilmember Bloch
Second: Councilmember Noble
Carried Unanimously*

It was moved that Sean Casey be appointed to the Community Enhancement Commission for a two-year term. Said term shall be effective from January 8, 2019 through January 8, 2021.

*Motion: Councilmember Bloch
Second: Councilmember Noble
Carried Unanimously*

Motion approved as show above.

Aye: 7 - Council Member Bloch, Council Member Colbert, Council Member Majdi, Council Member Noble, Council Member Sienicki, Council Member Springsteen and Mayor DiRocco

5. Regular Business

A. [18-1128](#) Request approval to participate in the 2019 Solarize NOVA program

It was moved to approve the Town's participation in the Solarize NOVA program for spring 2019 and authorize staff and the Community Enhancement Commission to move forward with implementation.

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

Aye: 7 - Council Member Bloch, Council Member Colbert, Council Member Majdi, Council Member Noble, Council Member Sienicki, Council Member Springsteen and Mayor DiRocco

B. [18-1129](#) Proposed changes to the Community Enhancement Commission code provisions

It was moved that the Town Clerk be authorized to advertise notice of intent to adopt the name change of the Community Enhancement Commission to Conservation and Sustainability Commission as well as proposed changes to the Community Enhancement Commission's code provisions and set the intent to adopt on January 28, 2019 to include the changes from the memorandum date January 7, 2019 from the Director of Parks & Recreation.

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

Aye: 6 - Council Member Bloch, Council Member Colbert, Council Member Noble, Council Member Sienicki, Council Member Springsteen and Mayor DiRocco

Abstain: 1 - Council Member Majdi

- C. [18-1104](#) Request to increase FY19 spending with Ross Tree Expert Company, dba RTEC Treecare, for tree maintenance and removal.

It was moved to approve additional FY19 spending in the amount of \$15,000 with Ross Tree Expert Company for tree maintenance and removal.

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

Aye: 7 - Council Member Bloch, Council Member Colbert, Council Member Majdi, Council Member Noble, Council Member Sienicki, Council Member Springsteen and Mayor DiRocco

- D. [18-1094](#)

Request to award project management contract for new police facility to Downey and Scott, LLC.

It was moved to award the project management contract for pre-construction, construction, and post-construction of the new police facility to Downey and Scott, LLC. in an amount not to exceed \$318,950.

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

Aye: 6 - Council Member Bloch, Council Member Colbert, Council Member Noble, Council Member Sienicki, Council Member Springsteen and Mayor DiRocco

Nay: 1 - Council Member Majdi

- E. [18-1123](#) Request additional FY19 spending with Broad Run

It was moved to approve additional FY19 spending in the amount of \$45,000 with Broad Run for construction and demolition debris disposal.

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

Aye: 7 - Council Member Bloch, Council Member Colbert, Council Member Majdi, Council Member Noble, Council Member Sienicki, Council Member Springsteen and Mayor DiRocco

- F. [18-1124](#) Consideration of a resolution to endorse a project submittal for FY20 I-66 Commuter Choice Funding

It was moved to adopt a resolution to endorse submission of the proposed project for

FY20 I-66 Commuter Choice Funding.

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

Aye: 7 - Council Member Bloch, Council Member Colbert, Council Member Majdi, Council Member Noble, Council Member Sienicki, Council Member Springsteen and Mayor DiRocco

G. [18-1106](#) Request funding approval for Maple Avenue Corridor Multimodal Transportation and Land Use Study

It was moved to approve the proposed expenditure of funds in the amount of \$79,994.06 with Kimley-Horn to conduct a Maple Avenue Corridor Multimodal Transportation and Land Use Study.

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

Aye: 7 - Council Member Bloch, Council Member Colbert, Council Member Majdi, Council Member Noble, Council Member Sienicki, Council Member Springsteen and Mayor DiRocco

H. [18-1126](#) Resolution in support of funding request from Fairfax County's Economic Development Support Fund to update the Town's zoning and subdivision ordinances

It was moved to adopt a resolution of support for Town staff to request funds from Fairfax County's Economic Development Support Fund to update the Town's zoning and subdivision ordinances.

A motion was made by Council Member Noble, seconded by Council Member Bloch, that the Resolution be approved. The motion carried by the following vote:

Aye: 5 - Council Member Bloch, Council Member Colbert, Council Member Noble, Council Member Sienicki and Mayor DiRocco

Nay: 2 - Council Member Majdi and Council Member Springsteen

I. [18-1125](#) Resolution in support of funding request from Fairfax County's Economic Development Support Fund for Economic Development Strategy and Market Study

It was moved to adopt a resolution of support for Town Staff to request funds from Fairfax County's Economic Development Support Fund for an economic development strategy and marketing study to incorporate the two amendments made by Councilmember Sienicki and Mayor DiRocco, related to engagement in meetings and independent small businesses.

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

Aye: 6 - Council Member Bloch, Council Member Colbert, Council Member Noble, Council Member Sienicki, Council Member Springsteen and Mayor DiRocco

Nay: 1 - Council Member Majdi

J. [18-1115](#) Request to approve T-Mobile Northeast LLC proposed First Amendment to Deed of Lease for an extension and amendment to the Town of Vienna Tapawingo Water Tank lease agreement with T-Mobile

It was moved for the approval of the proposed First Amendment to Deed of Lease -

Tapawingo/Frederick Street (SW) Water Tower and between T-Mobile Northeast LLC.

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

Aye: 7 - Council Member Bloch, Council Member Colbert, Council Member Majdi, Council Member Noble, Council Member Sienicki, Council Member Springsteen and Mayor DiRocco

18-1135 Second Closed Session

It was moved to recess into Closed Session at 9:56 p.m.

Mayor DiRocco called the regular meeting back in session at 10:28 p.m. The Town Clerk called the roll and all members of Council were present.

It was moved that the members of the Vienna Town Council be polled to affirm that during the second Closed Session convened this date, Monday, January 7, 2019, the Town Council met for discussion or consideration of the acquisition of real property for a public purpose.

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, January 28, 2019 at 7:15 p.m. in accordance with Virginia Code Section 2.2-3711.A.(1) for personnel matters, specifically, the interviewing of individuals for consideration of appointment and/or re-appointment to Town boards or commissions.

A motion was made by Council Member Bloch, seconded by Council Member Noble, that the item be approved. The motion carried by the following vote:

Aye: 7 - Council Member Bloch, Council Member Colbert, Council Member Majdi, Council Member Noble, Council Member Sienicki, Council Member Springsteen and Mayor DiRocco

6. Meeting Adjournment

It was moved to adjourn the regular meeting at 10:29 p.m.

Mayor Laurie A. DiRocco

Signed / Dated: _____

Attest: _____
Melanie J. Clark, CMC
Town Clerk

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.