



Town of Vienna

Meeting Minutes

Town Council Meeting

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

Monday, September 12, 2022

8:00 PM

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

Invocation: Reverend Jon Strand, Episcopal Church of the Holy Comforter

Mayor Colbert called on Reverend Jon Strand, Episcopal Church of the Holy Comforter to provide the evening's invocation.

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

1. Roll Call

Councilmember Anderson was absent due to vacation.

Present: 6 - Council Member Ray Brill Jr., Council Member Nisha Patel, Council Member Steve Potter, Council Member Ed Somers, Council Member Howard J. Springsteen and Mayor Linda Colbert

Absent: 1 - Council Member Chuck Anderson

2. Acceptance of the Minutes:

- A. [22-3365](#) Acceptance of the Regular Council Meeting Minutes and Conference Session Minutes of July 11, 2022, and the Regular Council Meeting minutes of August 29, 2022

Minutes of the Regular Council Meeting Minutes and Conference Session Minutes of July 11, 2022, and the Regular Council Meeting minutes of August 29, 2022 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 welcomed speakers from the audience.

JulieAnn Ables Chapin, 103 Harmony Dr, SE wished to reinforce various issues previously presented to Council in writing. The first issue concerned the Pedestrian Master Plan as it relates to sidewalks on both sides of a street. She does not believe this should be a goal because strategic goals are known to drive budgets. Based upon storm water runoff issues, tree preservation, etc. this is not in the Town's best interest. The second issue is the requirement for builders to install sidewalks, she opposes this for the same reasons as stated earlier. While safer streets are a positive goal it should be achieved mindfully.

Ms. Chapin noted that she volunteers with the County Invasive Plant Program at Cunningham Park and wished to express support for native plant programs.

Avril Garland, 917 Hillcrest Dr. spoke in support of the last speaker; especially as related to sidewalks. She completed a voluntary auto count on Hillcrest Dr. and

discovered that one car passed every five minutes; a quiet street. She also wished to address again the consequences of tree removal. Finally, she noted that Fairfax County will be phasing out gas powered leaf blowers in the next five years, and suggested that this might be considered in Vienna as well.

Mayor Colbert recognized three boy scouts from Troop 1539.

4. Reports/Presentations

A. [22-3122](#) Proclamation for the Vienna chapter of the Daughters of the American Revolution (DAR)

Mayor Colbert read into the record a proclamation declaring the week of September 17- 23, 2022 as Constitution Week.

A. Report and Inquiries of Council Members

Council Member Springsteen reported on the success of the police station dedication. He also reminded Council of their agreement to increase Council and Mayoral salaries, requesting addition to a future agenda. He further reminded Council to strive toward meetings that are concise and on topic.

Council Member Brill noted that the 9-11 ceremony was excellent. The 2022 Air and Space Expo at Andrews Air Force Base is scheduled for this weekend. The Junefest fundraiser appeared to be well attended. Finally, he urged Council to remember the Ukrainian people; he acknowledged their bravery.

Council Member Potter raised concern over two development sites along Maple Avenue. Both have been neglected and are overgrown and unsightly. David Levy, Director, Planning and Zoning indicated that he has made contact with both property owners who will address the expressed concerns.

Council Member Somers remarked that every day he sees residents pushing children in strollers; residents with mobility issues; residents who are visually impaired, all which speaks to the importance of the sidewalk project and the goals of the Pedestrian Master Plan. While trees are wonderful, we are reminded that there are a large number of residents who need and use these sidewalks.

A motion was adopted at the August 29, 2022 meeting related to massage parlors; Council Member Somers noted his opposition due to concern regarding the issue of home service "outcall" providers. The issue was to be further researched. He requested a progress report on this Item. Town Attorney Briglia indicated that a Conference Session is to be scheduled where he will present data regarding other jurisdictional processes as well as information on enforcement.

Council member Patel suggested that a Conference Session may not be required; rather Council should respond directly to Town Attorney Briglia. She also requested a moment of silence in remembrance of the lives lost on 9-11.

Council Member Somers disagreed with the suggestion to bypass a Conference Session and requested that the issue come before Council as an action item. It would be appropriate to hold a Conference Session to determine the worthiness of this request.

Town Attorney Briglia indicated that jurisdictional data can be gathered in the next

thirty days; available by November 1, 2022. Enforcement data will not be available at that time.

B. Report of the Town Manager

Mayor Colbert recognized Town Manager Payton to provide his report. He introduced Kelley O'Brien as the newly appointed Deputy Director of Planning and Zoning.

Beginning October 1, 2022, Conference Sessions will be held at the Police Station in an effort to draw in the Community.

C. Report of the Mayor

Mayor Colbert remarked on the success of the Police Station opening and thanked the Department of Parks and Recreation for their work.

The 9-11 Remembrance was well attended with support from the American Legion Post 180, Supervisor Walter Acorn and Senator Chap Peterson. Additionally, she noted attendance by Paul Veneto (Paulie's Push) honoring the bravery of the flight attendants who lost their lives that day.

In light of the resignation of delegate Mark Keam, Mayor Colbert expressed appreciation for his service to the Town of Vienna.

The Junefest fundraiser for charity was a success.

D. Proposals for Additional Items to the Agenda

E. Closed Session

It was moved that the members of the Vienna Town Council be polled to affirm that a Closed Session was held on September 12, 2022 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 September 26, 2022 at 7:00 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 Somers; second, Council Member Springsteen. Town Attorney Briglia noted the absence of Council Member Anderson, for the record. Motion carried unanimously.

It was moved to reappoint Jessica Plowgien to the Planning Commission for a two-year term. Said term shall retroactively commence June 16, 2022 and expire June 16, 2024.

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

A motion was made by Council Member Ed Somers, seconded by Council Member Howard J. Springsteen, that this item be approved. The motion carried by the following vote:

Aye: 7 - Council Member Anderson, Council Member Brill, Council Member Patel, Council Member Potter, Council Member Somers, Council Member Springsteen and Mayor Colbert

5. Consent Agenda

A motion was made to approve the consent agenda as presented.

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

- A. [22-3338](#)** Request approval with SHI for the continued use of Microsoft Office 365 product, application suite, and annual support services.

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

Aye: 6 - Council Member Brill, Council Member Patel, Council Member Potter, Council Member Somers, Council Member Springsteen and Mayor Colbert

Absent: 1 - Council Member Anderson

- B. [22-3355](#)** Approve Increase in Spending with McGuire Woods for 2022 Bond Counsel Services

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

Aye: 6 - Council Member Brill, Council Member Patel, Council Member Potter, Council Member Somers, Council Member Springsteen and Mayor Colbert

Absent: 1 - Council Member Anderson

6. Regular Business

- A. [22-3227](#)** Town Council Consideration of Continuing with or Terminating Parking Agreement with Fairfax County on Patrick Henry Library and Parking Garage

Mayor Colbert called on David Levy, Director, Planning and Zoning, to present the Item for consideration. Director Levy introduced June Lee, Section Head; Maryam Mostandi, Project Lead; and Jessica Hudson, County Director of Libraries as well as architects Keith Leonard and Dave Halleck, RRMM Architects.

Pertinent comments from Council are noted as follows:

- *No other Fairfax County libraries have top deck parking; Recognized as least desirable; Proposed solar panels will provide degree of shading;*
- *Consider means to improve aesthetics of solar panels;*
- *Consider exploring alternative methods for capturing solar energy;*
- *Setback waiver will be submitted; Current requirement 11Ft curb to ROW plus 15Ft ROW to building = 26Ft. Proposed 11Ft. curb to ROW plus 10Ft. ROW to building = 21Ft; Proposed setback greater than current setback;*

- Consider aesthetics of Cube Smart for west side inspiration;
- Consider improving aesthetic of stairway wall;
- Consider ways to incorporate nature into parking structure;
- Preference expressed for red brick exterior; As building will have greater presence on Maple Avenue, preference also expressed for lightest brick exterior;
- Consider utilizing Vienna Elementary School and Town Hall to help direct exterior brick decision;
- Existing commemorative bricks will be reclaimed and reset;
- Unable to underground utilities;
- Consider adding more greenspace between ROW and building.

Town Attorney Briglia indicated that Council should provide guidance to the County regarding streetscape (planters and bus stop as set forth in the Visual Preference Survey 2018) for incorporation into the next phase of the design plan. The next design iteration will be ready in approximately six months.

It was moved to continue with the Design and Construction Agreement between the Board of Supervisors of Fairfax County and the Town of Vienna.

Motion, Council Member Potter; second, Council Member Patel. Motion carried unanimously.

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

Aye: 6 - Council Member Brill, Council Member Patel, Council Member Potter, Council Member Somers, Council Member Springsteen and Mayor Colbert

Absent: 1 - Council Member Anderson

7. Meeting Adjournment

A motion was made by Council Member Howard J. Springsteen, seconded by Council Member Nisha Patel, that the meeting be adjourned at 10:10 p.m. The motion carried by the following vote:

Aye: 6 - Council Member Brill, Council Member Patel, Council Member Potter, Council Member Somers, Council Member Springsteen and Mayor Colbert

Absent: 1 - Council Member Anderson

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.