



# Town of Vienna

## Meeting Minutes

### Town Council Work Session

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

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Monday, February 10, 2020

7:30 PM

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

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#### Work Session

### 1. Regular Business

#### *Councilmembers Present:*

*Mayor Laurie A. DiRocco  
Councilmember Linda J. Colbert  
Councilmember Pasha M. Majdi  
Councilmember Douglas E. Noble  
Councilmember Nisha Patel  
Councilmember Steve Potter  
Councilmember Howard J. Springsteen*

#### *Staff Present:*

*Steve Briglia, Town Attorney  
Michael Donahue, Deputy Director, Public Works  
Leslie Herman, Director, Parks and Recreation  
Mercury T. Payton, Town Manager  
Alex Shy, Urban Arborist, Town of Vienna*

#### *Pedestrian Advisory Committee and Transportation Safety Commission Members Present:*

*Julie Hays  
Donna Smith  
Jessica Plowgian  
Catherine Hardman  
Angela Sorrell*

*Town Manager Mercury Payton opened the February 10, 2020 Town Council Work Session at 7:30pm, noting two items on the agenda.*

#### A. [20-1581](#)

#### Management of the Right of Way

*Dave Donahue, Deputy Director, Public Works presented an overview of issues related to the management of right of way, specifically the three items addressed in the Town Manager's 'After Action Report' regarding 1) Wawa tree-cutting incident, 2) Chick-fil-A placement of transformers on public sidewalks, and 3) 380 Maple rezoning application staff proposal to narrow street (Wade Hampton).*

##### *1. Wawa tree-cutting incident*

*Leslie Herman, Director of Parks and Recreation introduced Alex Shy, Town of Vienna Urban Arborist, who provided a chronology of the events surrounding the tree removal. Wawa has complied with the Town's requests. Director Herman indicated that the Town is currently working on an internal policy regarding*

communication with the public when work is to be completed on Town property.

Mr. Shy concluded that the pre-construction process is under review with the addition that construction cannot begin until the pre-construction phase has been completed. He further noted that the law regards trees as a nuisance and as such there is nothing in place to hold contractors responsible for neighboring tree damage.

It was also noted that the Department of Parks and Recreation has recently purchased a web based tree inventory system. Currently staff is in process of identifying existing trees in the Town.

#### 2. Chick-fil-A placement of transformers on public sidewalks

Deputy Director Donahue noted that the electrical transformer at this site is located outside of the right of way and on private property. The Town retains very limited control over the placement of dry utilities on private property, although some accommodation was received by the site owner. As a result of this issue the DPW and DPZ staff has reviewed and amended the Site Plan approval process to include dry utility plans (that are approved by the utility companies) prior to the Town approving a Site Plan.

After speaking with Dominion Power, Attorney Briglia noted that the Town has little leverage regarding the placement of these transformers after the fact. He further commented that a site plan must conform first with zoning ordinances followed by street layout. Changing a site plan check list would require an ordinance. Council discussed the advantages and disadvantages of underground vaulted transformers, concluding that the expense is generally not bearable.

3. 380 Maple rezoning application staff proposal to narrow street (Wade Hampton). Councilmember Majdi suggested numerous language additions to the Comprehensive Plan, specifically the section on street functionality, such as demonstration of adequate turn-radius for delivery trucks, and 100% public usage for land acquired from street narrowing. He additionally requested that the PIM be updated for neighborhood commercial streets. Deputy Director Donahue indicated that process is completed approximately once each year.

Town Manager Payton provided an update on the effort to improve communication with the public at large. He indicated that staff is currently in the process of drafting guidelines that all staff can utilize when communicating with the public. The draft will be circulated to Council for review and comment no later than early March.

### B. [20-1580](#)

#### Transportation Safety Commission (TSC) - Updating Citizen's Guide to Traffic Calming Guide

Julie Hays, Transportation and Safety Commission and Pedestrian Advisory Committee, provided an update on the draft of the Citizen's Guide to Traffic Calming. First written in 2002 the document has been updated only once (2011). The update began in February 2019 and the first draft was shared with Council on February 11, 2019 with an effort to include new/current technology, policies and procedures. The draft was presented for public comment over the last year; tonight's document includes updates based upon the earlier input.

Council provided numerous suggestions for clarification of document language and for process transparency. Specifically, they identified ways to improve document

organization, in addition to specifics related to process timeline and options for resolution outside of the initiation of a TSC petition. They further provided ideas for expediting the overall process, notably that of decision making. Implementation would potentially lengthen the overall time due to reliance on bond monies, etc., however the applicant must be kept informed regarding their petition. Council also questioned the removal of the option for street closures, to which Ms. Hays noted that this process was no longer considered a best practice. Councilmember Noble emphasized that many significant Traffic Safety documents and guidelines continue to include this as an option.

Ms. Hays further pointed out the critical need for the TSC to write a set of by-laws which would help to explain its role and assist in the decision making process, especially as it relates to resolving non petition issues. Council agreed that this product would help the TSC be more proactive and less apprehensive in their decision making. Mayor DiRocco supported the concept and provided brief guidance on process.

TSC will prepare the final document for Council approval tentatively scheduled for February 24th Council meeting.

## 2. Meeting Adjournment

The Work Session adjourned at 10:00pm.

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