



# Town of Vienna

## Meeting Minutes

### Town Council Meeting

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

Monday, November 16, 2020

8:00 PM

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

#### Regular Meeting

#### 1. Resolution

**Present:** 7 - Council Member Chuck Anderson, 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

**A. [20-1950](#)** Resolution for Continuity of Government

*Mayor Linda Colbert read into the record the Continuity of Government. The Resolution was approved through voice vote.*

#### 2. Roll Call

*Council Member Chuck Anderson (via ZOOM); Council Member Ray Brill Jr., Council Member Nisha Patel (via ZOOM); Council Member Steve Potter (via ZOOM); Council Member Ed Somers (via ZOOM); Council Member Howard J. Springsteen and Mayor Linda Colbert.*

*Staff: Mercury Peyton, Town Manager; Cindy Petkac, Director, Planning and Zoning (via ZOOM); Shelley Kozlowski, Deputy Town Clerk; Steve Briglia, Town Attorney; Melante Clark, Town Clerk.*

#### 3. Approval of the Minutes:

**A. [20-1949](#)** Acceptance of the Regular Council Meeting Minutes of October 26, 2020, November 2, 2020 and the Work Session Minutes of October 28, 2020

*The Regular Council Meeting Minutes of October 26, 2020, November 2, 2020 were accepted by voice vote. The Work Session Minutes of October 28, 2020 were tabled pending clarification of Item 1.*

**A. 20-1949 Acceptance of the Regular Council Meeting Minutes of October 26, 2020, November 2, 2020 and the Work Session Minutes of October 28, 2020**

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

#### 4. 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 recognized Wendy Kang, 130 Roland Ct., SW., Vienna VA. Ms. Kang opened her remarks expressing appreciation for the opportunity to address the Council. As a practitioner of Falun Gong, a discipline that teaches gentle exercise, and the principles of truthfulness, meditation, compassion and tolerance, Ms. Kang*

*noted its value to millions of people throughout the world. In July of 1999, however, the Chinese Communist Party (CCP) ordered the eradication of all who practiced Falun Gong, imprisoning, torturing and killing practitioners. This persecution has continued for the last 21 years. The US Department of State has cited credible examples where the CCP has executed practitioners in order to harvest and sell their organs on the international market. As a result, China has become a major location for organ transplant. Ms. Kang requested that Council follow the example of Fairfax County and pass a resolution to raise awareness of forced organ harvesting in China. This action will enlighten the citizens of Vienna and express solidarity with Falun Gong practitioners and the prisoners of conscience in China.*

*Mayor Colbert recognized Donald Feltman, 321 Sherwood Dr. NE. (via ZOOM). Mr. Feltman began his remarks by thanking Council for their proactive actions throughout the COVID 19 crisis. The continued threat posed by this virus has exacerbated the stress on local families as they work and school their children from home. With this in mind, he is requesting that Council consider alternative options for the Beulah Rd. mulching yard. The noise level has disrupted both work and schooling and created additional stress during an already difficult situation. Mayor Colbert recognized the issue, noting that she will discuss the problem with the Director of Public Works and present options to Council for consideration.*

*Mayor Colbert recognized Council Member Anderson to report on the meeting of restaurant lenders, owners, landlords, and tenants held on November 12, 2020. The informational meeting generated various ideas for providing businesses unique ways to generate additional traffic through the winter months. Among the ideas were 1) establish a certifying mechanism for businesses that follow safe practices, 2) host a food specific winter festival, and 3) sponsor a pop-up food mall as a means for capturing alternative business. Council is urged to do everything possible to support the Vienna business community during this season. He suggested a Work Session to discuss new ideas.*

*Mayor Colbert noted that she has met with Natalie Monkou, Manager, Economic Development and Marion Serfass, Director, Finance to discuss initiatives for assistance to local businesses.*

## 5. Reports/Presentations

### A. [20-1946](#)

#### Presentation of Certificate of Achievement for Excellence in Financial Reporting

*Mayor Colbert recognized Marion Serfass and the Finance team for receipt of the certificate of achievement for Excellence in Financial Reporting from the Government Finance Officers Association of the United States and Canada (GFOA.) The certificate, awarded for the Town's fiscal year 2019 comprehensive annual financial report (CAFR), is the highest form of recognition in governmental accounting and financial reporting.*

*Town Manager Mercury Payton congratulated and thanked the entire team for their continued service to the Town of Vienna.*

## 6. Closed Session

*Mayor Colbert called on Council Member Somers to report on the Closed Session. It was moved that the members of the Vienna Town Council be polled to affirm that the Vienna Town Council met in closed session on Monday November 16, 2020, virtually via ZOOM, and in person, in accordance with Virginia Code 2.2-3711.A.(1) and the Town of Vienna's Continuity of Government ordinance, for discussion or*

*consideration of personnel matters, specifically the discussion of individuals for consideration of appointment and/or re-appointment 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, December 7 2020, at 7:30 PM in accordance with Virginia Code Section 2.2-3711.A.(1), and the Town of Vienna's Continuity of Government ordinance, for discussion and consideration of personnel matters, specifically the interviewing of individuals for consideration of appointment and/or re-appointment to Town Boards and Commissions.*

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

*It was moved that Desiree Mote be reappointment to the Conservation and Sustainability Commission for a two-year term. Said term shall be effective 11/21/2020-11/21/2022.*

*It was moved that Gloria Runyan be reappointed to Historic Vienna, Inc. for a two-year term. Said term shall be effective 11/23/2020- 11/23/2022.*

*It was moved that Keith Amone be appointed to the Planning Commission to fill the unexpired term of Michael Gelb. Said term shall begin 11/16/ 2020 and terminate 11/21/2021.*

*It was moved that Joe Lother be appointed to the Transportation and Safety Commission to fill the unexpired term of Keith Amone. Said term shall begin 11/25, 2020 and terminate 7/14/2022.*

*It was moved that Colby Runyon be appointed to the Vienna Arts Commission for a two-year term. Said term shall begin 11/16/2020 – 11/16/2022.*

*Motion, Council Member Somers; second Council Member Anderson. Motion carried unanimously.*

#### **6. Closed Session**

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

### **7. Regular Business**

#### **A. [20-1909](#)**

**DPW requests approval for joint project to rehabilitate trunk sewers that cross Route 7 at Difficult Run**

*Mayor Colbert recognized Mike Gallagher, Director of Public Works to provide an overview of the project and request. As ownership of the sewer mains impacted by this project is governed by several agreements, he is proposing that the involved parties enter into new three-party agreements based on ownership of each sewer segment.*

*A motion was made to approve an agreement between the Town of Vienna, VDOT, and Shirley Contracting to rehabilitate trunk sewers that cross Route 7 at Difficult Run and authorize the mayor to execute the agreement pending final legal review by the town attorney. Motion Council Member Springsteen; second Council Member Potter. Motion carried unanimously.*

**A. 20-1909 DPW requests approval for joint project to rehabilitate trunk sewers that cross Route 7 at Difficult Run**

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

**B. [20-1940](#)**

Request approval to demolish the residential structure and outbuildings at 124 Courthouse Road SW

*Mayor Colbert recognized Council Member Springsteen who requested a postponement of this item to further consider an email received from Nancy Motes. Leslie Herman, Director, Parks and Recreation, indicated that during a telephone conversation with Ms. Motes, it was revealed that various sections of the property date back to the 1800's.*

*It was moved to carry over Item 7B, request to demolish the residential structure and outbuildings at 124 Courthouse Road SW, to the December 7, 2020 Council meeting.*

*Motion Council Member Springsteen; second Council Member Brill. Motion carried unanimously.*

**"I move to approve demolition of the residential structure, detached garage, and outbuildings located at 124 Courthouse Road SW."**

**Or**

**Other action deemed necessary by Council.**

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

## 8. Meeting Adjournment

*Council Member Brill wished to thank Ms. Kang for her earlier testimony, directing attention to the issue of illegal forced harvesting and selling of organs. Council Member Patel agreed and requested language to prepare a resolution of support.*

*Adjournment*

*Motion Council member Patel; second Council Member Springsteen.*

*Meeting adjourned at 8:43 PM.*

## 8. Meeting Adjournment

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