



# Town of Vienna

## Meeting Minutes

### Town Council Meeting

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

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Monday, April 23, 2018

8:00 PM

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

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#### Regular Meeting

**Invocation: The Reverend Corky Eddins, Christ Church Vienna**

**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. [18-829](#) Approval of the Minutes of the Special Council Meeting for the Bond Sale of February 13, 2018, the Regular Meeting and Work Session of March 5, 2018.

*It was moved to Approve the minutes of the Special Council Meeting for the Bond Sale of February 13, 2018,*

*Motion: Councilmember Sienicki*

*Second: Councilmember Springsteen*

*Abstained: Councilmembers Majdi and Bloch*

*Motion carried*

*It was moved to approve the minutes of the Regular Meeting and Work Session of March 5, 2018 as submitted.*

*Councilmember Sienicki*

*Second: Councilmember Bloch*

*Carried Unanimously*

**Minutes were approved as shown above**

#### 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)

*Ms. Sun Yumei 614 Echols St. SE addressed Council regarding some issues she is having with handicap access on the sidewalks on her street especially for the bus. She has lived on Echols for many years and has never seen any money spent on the road. The sidewalk on the road needs to be done immediately, she has had 3 spine surgeries and has to get to many appointments so this is critical to her. She really needs help and asked that Council consider this. The bus 462 is right at the corner of Echols and Follin Lane and needs the sidewalk fixed to be handicap accessible. Mayor DiRocco asked her what section of Echols she is talking about. They do look*

at sidewalks and invest in them regularly however they are expensive but that doesn't mean they can't be done. She thinks this is something they want to address for everyone. Ms. Yumei provided information on the location. Councilmember Noble stated that he believes something was approved, either funding or the application for the other part of Echols and asked Mr. Gallagher could speak to. Mr. Gallagher stated they applied for revenue sharing for Echols reconstruction. He did learn that they have been awarded that money for fiscal year 2020 so it would be July 1st of next year when they can start with the paperwork. Ms. Yumei stated 20 years has been long enough for her to bare with this and it is causing a lot of hazards for her. Mayor DiRocco stated they will see what they can do. Mr. Payton asked Mr. Gallagher if the funds we receive in FY 2020 would address the concerns that Ms. Yumei has. Mr. Gallagher stated it would address the concerns on Echols St., the concerns at the intersection of Follin Lane and the bus stop would have to be coordinated with Fairfax County DOT. He knows they came through with a program to add concrete landings and improve accesibilty areas. He can follow up with them and ask them to really look at this intersection and see if we can get some assistance. Mr. Payton asked Mr. Gallagher what could be done between now and July 1 of next year to address this. Mr. Gallagher stated they can go through and look at critical areas of the sidewalk that might need attention prior to any major reconstruction funding to make sure we have the most successful route as possible. Mr. Payton asked what a reasonable time line would be as far as a temporary solution. Mr. Gallagher stated that he hopes to have something within 30 days. Mayor DiRocco asked Ms. Yumei to provide Mr. Gallagher with her contact information.

Ms. Yumei also mentioned a water issue that she is having in her backyard since three big houses were built. She is no longer able to do gardening because it is a swamp. She met with someone from public works and stated he was very rude and said there was nothing that could be done. Mayor DiRocco stated Mr. Gallagher is in charge of DPW and she will have him look into this.

#### 4. Reports/Presentations

A. [18-797](#) Proclamation for National Small Business Week

Councilmember Springsteen presented a Proclamation for National Small Business Week proclaiming April 30, 2018 through May 6, 2018 as "National Small Business Week" in the Town of Vienna.

B. [18-836](#) Proclamation for Municipal Clerk's Week

Mayor DiRocco presented a Proclamation proclaiming May 6, 2018 through May 12, 2018 as Municipal Clerk's Week.

A. Report and Inquiries of Council Members

Councilmember Colbert reported that starting on Thursday night Madison High School will be presenting Fiddler on the Roof. It will be on Thursday, Friday and Saturday. Tickets are available at Madisondrama.com.

Councilmember Springsteen asked if Council can get an update on the Community Center punch list in the next week or two.

Councilmember Springsteen also mentioned that there has been a delay on making a decision on the Community Center kitchen and he thinks they should move ahead

*and get the kitchen done.*

*Councilmember Springsteen also reported that he has been getting a lot of questions about the proposed development at 480 Maple Avenue. He encourages them to send questions or issues to the Planning & Zoning staff and Council. He thinks they need to be really sensitive of the fact that the residents around there are really nervous about the project and have a lot of concerns.*

*Councilmember Noble reported that the Native Plant sale was held this past weekend and the plants were a great value. They will have another sale in the fall.*

*Councilmember Noble also reported that this month is "Distracted Driver Awareness Month" and encourages everyone to keep their cell phones in their pocket or purse while driving.*

*Councilmember Majdi reported that there will be a Planning Commission meeting on Wednesday where they will consider an extension to the Conditional Use Permit for Bey Lounge. He noted for the record that he spoke to the neighbors who are affected on Park Street and those neighbors stated if there is an extension they hope it is with the current conditions on the CUP as opposed to a free extension with no monitoring. He also noted that they did not say that they hoped the CUP is revoked and the way he sees that is that there has been progress. He is hopeful that this is an indication that we are moving towards an amicable solution in a relationship between the two, commercial and residential. He thinks there has been a lot of hard work from staff across multiple departments and if it keeps going in the direction its going, hopefully in 6 mos to a year from now everyone will be in a symbiotic happy situation.*

*Councilmember Sienicki thanked the Parks & Recreation Department and the Department of Public Works for the spring cleaning recently.*

*Councilmember Sienicki also invited everyone to join the residents of the Windover Heights Historic District on Sunday from 2-5 p.m. at the Walk on the Hill and the Green Expo. Learn how to live sustainably and enjoy people's gardens. There will be lots of things to do in that area and she encourages everyone to join them.*

## **B. Report of the Town Manager**

*Mr. Payton reported that the Farmer's Market will be starting up soon and thanked the Town Council for supporting the change in the venue. He also thanked Ms. Leslie Herman, Director of Parks & Recreation, Chief Morris and Michelle Wright of the Optimist club for working together collaboratively to make this a reality. He hopes everyone enjoys the new venue at the Community Center.*

## **C. Report of the Mayor**

*Mayor DiRocco reported that we are fortunate to have a lot of Boy Scouts that do Eagle Scout projects in town. It's wonderful because we get a benefit out of that and most recently Luke Driscoll, Tyler Keam and pretty much the whole Boy Scout Troop 1539, helped plant trees around the Community Center and they did a fantastic job. She also thanked Parks & Recreation staff for working with the troop to make this happen. She thanked Gary Lawrence, Brandy Wyatt and everyone else that helped make this happen.*

*Mayor DiRocco also reported that a week from Tuesday is the Town Elections, May*

*1st from 6:00 a.m. to 7:00 p.m. at the Vienna Community Center.*

#### 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, April 23, 2018, the Town Council met for personnel matters, specifically the interviewing 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 later this date, Monday, April 23, 2018 at the conclusion of the Regular Council meeting in accordance with Virginia Code Section 2.2-3711.A.(3), for purposes of discussion or consideration of the acquisition of real property for a public purpose.*

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

*It was moved that Stephen Kenney be re-appointed to the Planning Commission for a two-year term. Said term shall be retroactively effective as of March 19, 2018 and continue through March 19, 2020.*

*And it was further moved that Donna Smith be re-appointed to the Pedestrian Advisory Committee for a two-year term. Said term shall be effective from April 30, 2018 through April 30, 2020.*

*And it was further moved that Cathy Hardman be re-appointed to the Pedestrian Advisory Committee for a two-year term. Said term shall be effective from April 30, 2018 through April 30, 2020.*

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

**Item approved as shown 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. Public Hearings

**A. [18-830](#)** Public Hearing for FY 2018-19 Proposed Real Estate Tax Rate

Attachments: [Notice of Public Hearing - Effective Tax FY19](#)

[Notice of Intent to Adopt FY18-19 tax rate](#)

[Resolution Tax Rate FY 18-19](#)

*Mayor DiRocco called the hearing to order at 8:39 p.m. The Town Clerk called the roll and all members of Council were present.*

*Ms. Marion Serfass, Director of Finance, explained that each year the Town's budget for the following year is developed, the proposed real estate tax rate is recommended by the Town Manager and reviewed by Council during budget work sessions. This public hearing is being held to give Vienna residents the opportunity for public comment on the proposed real estate tax rate of \$0.2250 per \$100 of assessed value for FY 2018-19.*

*They have disclosures that are required under the State Code of Virginia, one is to calculate a lowered tax rate necessary, that is the tax rate necessary to generate the same tax levy as the previous year, excluding new construction. The lowered rates \$0.2201 per \$100, that rate is 2.3% lower than the proposed tax rate. The other required state test that they are required to do is to calculate the Equalization Rate." The equalization rate is the amount to generate a levy that was equal to 1% over the levy of last year. The equalization rate is \$0.2223. Because that rate is lower than the proposed tax rate we are required to have a public hearing. But as a practice the Town of Vienna always holds a public hearing because we like to get comments from residents.*

*Town Council has reviewed the budget during work sessions on March 17, March 19, and April 16. The Finance Department presents the proposed real estate tax rate and other tax rates at this public hearing for discussion and input from the public.*

*The proposed real estate tax rate is \$0.2250 per \$100 of assessed value for FY 2018-19. The proposed budget is based on this rate along with continuation of the current bank net capital rate of \$0.80 per \$100 of valuation as well as the residential utility tax rate of 20% of the first \$15 and the commercial utility tax rate of 15% of the first \$300.*

*Town Council has the option to adopt the tax rates proposed or to lower them from the advertised amounts as it sees fit.*

*Mayor DiRocco thanked Ms. Serfass and the entire Finance Department for all the work in putting the budget together.*

*Councilmember Sienicki stated that they have been getting a lot of easy to read information to go along with what is usually a dry subject. They have really made it easier to understand and appreciate them listening the Council's comments and addressing them.*

*Councilmember Colbert stated that last week when they had their work session there was a good discussion on the real estate tax rate. She appreciates the Town Manager for giving them a balanced budget and thought all the department heads were thoughtful in their budgets as well. She thinks that this tax rate supports our budget. She would like to see them try and get the tax rate down in the future and perhaps this coming year they can look at things they may or may not be able to cut but keep their eyes out for that. She thinks it is their responsibility to citizens to always be looking to get them the best rate they can.*

*Councilmember Springsteen stated he appreciates Councilmember Colbert's comments, he knows it was a spirited discussion. When he heard a couple of weeks ago that we were getting an additional \$100,000 from Washington Gas he thought we could use it to reduce the weight but the Town Manager told them that we had some pressing expenses and we absorbed that. He does agree that next year they should have a goal to try and reduce the rate a decent amount. They have had a good discussion and scrubbed the numbers down as much as they could. He complimented the Town Manager for holding the departments to a very high standard and works very hard to address the concerns without breaking the budget.*

*Councilmember Majdi stated that he also appreciated the spirited discussion, he thinks they are all better for it. There is a diversity of perspectives here and he thinks that makes the town stronger when we all share those and perhaps learn from each other. During the discussion the Town Manager mentioned that he was committed to reviewing the tax rate over the coming year for the next budget. It is not a commitment to go one way or another but at least to review it. He had planned to vote no to demonstrate that he wanted the town to consider lowering the tax rate but given the Town Manager's commitment to reviewing it next year, he thinks in the spirit of amity and hopefully the spirit of unanimity among the Council he will be voting yes and looks forward to the discussion next year.*

*Councilmember Noble stated that the one thing this tax rate supports is that one of the things over time and with the town surveys, is for the most part, the quality and value of services that are provided in the town. Part of the reason for that and the need for being able to address some of the things in this budget in terms of healthcare costs that have increased 18%, targeted salary increases for both staff and separately for Police, he thinks it is necessary to keep that high level of talent and encourage folks to stay with Vienna over the long term. There are a lot of moving parts in the budget that are beneficial to the town to include adding a Transportation Engineer/Planner to the staff that will help with some of the concerns we have with both traffic and development related developments. He thinks there is a lot of good stuff in the budget and yes they did have a very animated discussion which he appreciated and going in to next year he thinks we have a lot of potential options to look at in terms of how we deal with some of the issues moving forward. He thanked the staff for bearing with them during the discussions.*

*It was moved to close the Public Hearing at 8:48 p.m.*

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

*It was further moved to approve the Fiscal Year 2018-19 proposed real estate tax rate, bank net capital rate, residential utility tax rate, and the commercial utility tax rate as presented and that the Town Clerk be directed to advertise Notice of Intent to Adopt at the Council meeting on May 7, 2018.*

*Motion: Councilmember Bloch  
Second: Councilmember Springsteen  
Carried unanimously*

**Item was approved as shown above.**

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

## 6. Regular Business

- A. [18-832](#) Intent to Adopt Changes to Chapter 9, Article 7 - Town Vehicle License Fee.

Attachments: [ARTICLE 7. TOWN VEHICLE LICENSES Red Lined final](#)  
[ARTICLE 7. TOWN VEHICLE LICENSES Final with changes](#)

*It was moved to adopt the changes to Chapter 9, Article 7 - Town Vehicle Licenses to the Town Code as modified to reflect the changes of the Town Vehicle registration license. It was further moved to direct the Town Clerk to advertise a Notice of Adoption.*

**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. [18-834](#) Request Approval of MOU with Fairfax County to Transfer Collection of Vehicle License Fees to the County

Attachments: [TOV bill sample](#)  
[PPVR Tax Relief Flyer Vienna](#)  
[MOU TOV Fairfax Vehicle Fee Collection FINAL - Red Lined](#)  
[MOU TOV Fairfax Vehicle Fee Collection FINAL -with changes](#)

*It was moved to approve the Memorandum of Understanding with Fairfax County regarding County collection and remittance of Vehicle License Fees.*

**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

- C. [18-831](#) Request approval of Memorandum of Understanding between Vienna Little League and Town of Vienna for use of Yeonas Park during the Fourth of July 2018 entertainment and fireworks show.

Attachments: [MOU July 4 2018 Yeonas Park](#)

*It was moved to approve the 2018 Memorandum of Understanding between Vienna Little League and the Town for use of Yeonas Park on July 4, 2018 with a rain date of July 5, 2018. It was further moved that the mayor or vice mayor be authorized to execute the agreement.*

**A motion was made by Council Member Springsteen, seconded by Council Member Sienicki, 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. [18-813](#)**

Request to set a public hearing for May 21, 2018 regarding permit parking on the 100 Block of Patrick Street SW.

*It was moved to set a public hearing for May 21, 2018 regarding permit parking on the 100 block of Patrick Street SW to allow the public to comment on this change and it was further moved to direct the Town Clerk to advertise a Notice of Public Hearing.*

**A motion was made by Council Member Sienicki, seconded by Council Member Colbert, 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

**E. [18-842](#)**

Set a Public Hearing for May 21, 2018 on the Rezoning of 200 Maple Avenue East and 109 Park Street Northeast

*It was moved to set a public hearing for May 21, 2018 on the rezoning of 200 Maple Avenue East and 109 Park Street Northeast and it was further moved to direct the Town Clerk to advertise a Notice of Public Hearing*

**"I move to set a public hearing for May 21, 2018 on the rezoning of 200 Maple Avenue East and 109 Park Street Northeast and I further move to direct the Town Clerk to advertise a Notice of Public Hearing."**

**Or**

**Other action deemed necessary by Council.**

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

**F. [18-808](#)**

Creek Crossing Road NE Sidewalk Project Amended Fairfax County MOU.

**Attachments:** [Fairfax-Vienna Creek Crossing MOU Agreement signed by all](#)  
[MOU Amendment 1](#)

*It was moved to approve the Creek Crossing Road NE, amendment to Fairfax County Agreement and authorize the Town Manager to execute all related documents.*

**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

**G. [18-816](#)**

Request additional FY18 spending with Arthur Construction

**Attachments:** [Arthur Construction](#)  
[BID TAB](#)  
[IFB 17-03](#)  
[FY18 Consent Agenda Approval](#)

*It was moved to approve additional FY18 spending in the amount of \$33,400.00 with Arthur Construction from the accounts listed above utilizing IFB 17-03.*

**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

**H. [18-818](#)** Request FY18 spending with Espina Paving, Inc.

**Attachments:** [Quote - Patches Spring 2018](#)  
[IFB 15-07 Bid Summary and Tabulation](#)  
[IFB 15-07 Renewal](#)

*It was moved to approve the asphalt repair work performed by Espina Paving Inc., of Woodbridge, Virginia, utilizing IFB 15-07 in the amount of \$71,742.72 from account 500-501-0000-50111-47407.*

**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

**I. [18-841](#)** Request to utilize Urban Ltd for the Lawyers and Church Roundabout Study

**Attachments:** [18-056.R2](#)  
[18-053.R2 - Attachment A](#)  
[Extension letter - RFP 13-05](#)

*It was moved to award an engineering services to Urban Ltd for the Lawyers and Church Roundabout Study in the amount of \$27,895.00 from the account number listed above utilizing RFP 13-05.*

**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

**J. [18-853](#)** Intent to Adopt Franchise Agreement/Ordinance with Washington Gas

**Attachments:** [WashingtonGasFranchiseCouncil Meeting - April 2, 1984](#)  
[Washington Gas Town of Vienna Franchise Executed \(May 7, 1984\)](#)  
[Publication of Public Hearing Town of Vienna Washington Gas Franchise Agreement 03-22-18](#)  
[DRAFT ORDINANCE AND FRANCHISE FOR NATURAL GAS TOWN OF VIENNA 04 05 2018 FINAL DRAFT MA SDB DRH Clean](#)

*It was moved to Adopt Franchise Agreement/Ordinance with Washington Gas and direct the Town Clerk to advertise a Notice of Adoption.*

**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

**K. [18-858](#)** Second Closed Session

*It was moved to recess into Closed Session at 9:29 p.m.*

*Mayor DiRocco called the regular meeting back to order at 11:48 p.m.*

*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 April 23, 2018, the Town Council met for purposes of 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, May 7, 2018 at 7:30 p.m. in accordance with Virginia Code Section 2.2-3711.A.(1), for purposes of discussion of personnel matters, specifically the interviewing of individuals for consideration of appointment and/or re-appointment to Town Boards and 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

## **7. Meeting Adjournment**

**A motion was made by Council Member Tara Bloch, seconded by Council Member Douglas Noble, that the meeting be adjourned. 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

*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.*