Town of Vienna

Meeting Minutes

Town Council Meeting

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

Monday, February 3, 2020 | **8:00 PM** | **Charles A. Robinson, Jr. Town Hall, 127 Center Street, South**

Regular Meeting

Invocation: John A. Russo, Baha'i Community of the Town of Vienna

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

1. Roll Call

Present: 7 - Council Member Linda Colbert, Council Member Pasha Majdi, Council Member Douglas Noble, Council Member Nisha Patel, Council Member Steve Potter, Council Member Howard J. Springsteen and Mayor Laurie DiRocco

2. Approval of the Minutes:

A. 20-1578 Work Session Minutes of October 22, 2019, December 11, 2019, December 16, 2019 and January 13, 2020.

The minutes were accepted as submitted.

Aye: 7 - Council Member Colbert, Council Member Majdi, Council Member Noble, Council Member Patel, Council Member Potter, Council Member Springsteen and Mayor DiRocco

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

A Local Boy Scout from ViennaTroop 152 introduced himself to Council. He attends Paul VI High School and is working on his communications badge.

4. Reports/Presentations

A. 20-1576 2019 Investment Report

Mayor DiRocco introduced Marion Serfass, Director of Finance.
Director Serfass provided a summary of the Town's investments through December 31, 2019. Due to high interest rates, the Town was able to benefit from large increases in interest revenue. Although rates have fallen somewhat, the Town is projected to meet or exceed interest revenue budgets in 2020.

B. 20-1588 Proclamation for Black History Month

Mayor DiRocco read the proclamation naming February 2020 as Black History Month in the Town of Vienna.

A. Report and Inquiries of Council Members

Mayor DiRocco called upon Council to provide any comments.
Councilmember Colbert, Vienna representative to the Greater Tyson's Citizen's Coalition, requested Council approval and support for a letter to various decision making bodies regarding issues related to traffic, rezoning processes, schools, etc.
Councilmember Springsteen requested an update on the status of the bridge by the Freeman store. Mike Gallagher, Director of Public Works, indicated that, upon receipt of appropriate licenses, construction is scheduled to begin spring or summer of this year.
Councilmember Majdi requested an update on historic site designation signage. Additionally, he asked for a status update on the Kimley-Horn study specifically as it relates to traffic spillage into residential neighborhoods. He further requested hard counts for those projections. Director Gallagher noted a $20,000 fee for the requested traffic counts.
Councilmember Potter requested an update on the RFP. Town Manager Payton noted that final language has been submitted.
Councilmember Noble reported that he will not be seeking reelection.

B. Report of the Town Manager

Town Manager Payton noted Town Council Work Session scheduled for Monday, February 10, 2020 as well as a Community Conversation scheduled for March 2, 2020.

C. Report of the Mayor

Mayor DiRocco, reported that members of staff and Council will attend Legislative Day in the State Capitol on February 6, 2020. They will meet with the Town of Vienna State Representatives to discuss ways to advance support for the Town's legislative agenda.

D. Proposals for Additional Items to the Agenda

There were no additonal items to the Agenda.

E. Closed Session

It was moved that the members of the Vienna Town Council be polled to affirm that during the Closed Session convened this date, Monday, February 3, 2020, the Town Council met for discussion of 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, February 3, 2020 at the conclusion of the regular Council Meeting in accordance with Virginia Code Section 2.2-3711.A.(1), for discussion or consideration of personnel matters, specifically the annual performance evaluations of the Town Attorney, Town Manager, and the Town Clerk.

Motion: Councilmember Colbert
Second: Councilmember Majdi
Carried unanimously

It was moved that Sylvia Taylor be reappointed to Historic Vienna, Inc. for a term of two years, said term shall be effective from 3/19/2020-3/19/2022.

It was further moved that Patty Hanley be reappointed to the Board of Architectural Review for a term of two years, said term shall be retroactive from 12/31/2019-12/31/2021.

Motion Councilmember Colbert
Second Councilmember Majdi
Motion carried unanimously

A motion was made by Councilmember Colbert, seconded by Councilmember Majdi, that this item was approved. The motion carried by the following vote:

Aye: 7 - Council Member Colbert, Council Member Majdi, Council Member Noble, Council Member Patel, Council Member Potter, Council Member Springsteen and Mayor DiRocco

5. Public Hearings

A. 20-1575 Public hearing on proposed amendments to the Town of Vienna Comprehensive Plan for Town-owned properties located at 114 Locust Street SW and 440 Beulah Road NE, specifically amending the Future Land Use Plan (page 38) and Community Facilities and Services chapter (pages 98-99).

Mayor DiRocco called the meeting to order at 8:30pm. The Town Clerk called the roll and all members of the council were present. Mayor DiRocco opened the hearing with a statement regarding the value of public input, noting the importance of hearing all voices and creating an environment where citizens feel comfortable sharing their comments on the topic at hand. She urged quiet during the presentations and thanked everyone in advance for their cooperation, respectful and courteous behavior. Citizens were asked to come forward, state their full name and address, and limit their time to three minutes. Each person was asked to speak only once. She introduced Cindy Petkac, Director of Planning and Zoning to summarize the issue.

Director Petkac outlined for consideration the of adoption of proposed amendments to the Town of Vienna Comprehensive Plan.The Town of Vienna purchased property located at 114 Locust Street SW in April 2013 and property located at 440 Beulah Road NE in May 2018. Town Council adopted the current Comprehensive Plan May 23, 2016. In order to utilize the 114 Locust Street SW and 440 Beulah Road NE properties as a public use, the current 2015 Update Comprehensive Plan needs to be amended to show the proposed public uses, both in the Future Land Use Plan and the Community Facilities and Services chapter.

Jim Jackson, 119 Cherry Circle, opened his remarks indicating that he was present at the most recent Planning Commission meeting. He expressed appreciation for the amended language but does not believe the process has gone far enough to include the specificity of "police station" in the document language. He has serious concerns regarding the expansion into 114 Locust St. and plans to meet directly with Police Chief Morris regarding issues of residential concern such as light pollution, noise, and use of the Baptist Church parking lot. Additionally, because he lives directly behind the planned site, he expressed concern about the proposed wall height, and filtering foliage. Mr. Jackson stated that he has lived in his current location since 2011 and had no indication that the house behind him was to be sold

to the town. He expressed disappointment in the transparency of the sale process. He would like to see Council adjust the amendment language to exclude the "police station" designation and would further ask Council to consider an alternate location. In lieu of that he would like to achieve some compromise with the Town when he meets with Chief Morris on Friday.

Don Feltman, 321 Sherwood Dr., NE., directed his comments to the use of 440 Beulah Road. He noted that he and his neighbors had on prior occasion expressed concern regarding the activity in the mulch yard, but had received no notice of impending new use until the Work Session. He expressed concern regarding the current noise generated by 7:00 am truck activity and has great concern about the expanded scope of the new project. He understands the purpose of the temporary use but would like to know what plans are in place for future use of the facility and additional parking. Will the Town, when occupying this space, live by the same rules and regulations that the neighbors are required to live by?

Chief Morris responded that lot coverage, as it pertains to single family residential, is different than governmental property. The Beulah Road facility will utilize the current existing mulch yard driveway as police parking for 25 vehicles. He noted that due to the configuration of the front driveway, which would require cars to back onto Beulah Road, he is considering options for adding a front driveway. The plans for this facility will be restricted to patrol and detective use and will have no public front. All other police operations will be temporarily housed at Town Hall. At the maximum, staffing will remain at its current three to five individuals each day.

Chief Morris provided a history of the project noting that a needs assessment was completed by Mosely's which indicated a critical need for additional secure parking and numerous other issues, at the current police station. The 2013 purchase of the Beulah Road property allowed for the decision to construct a new police station on Locust rather than a renovation. Councilmember Springsteen reiterated the need for secure police parking remarking on a prior bomb threat. Chief Morris emphasized that the decision was not made lightly given the impact on the neighborhood. He further referenced the issue of lighting pollution, pointing out that the use of the Baptist Church parking lot has also caused issues with cruiser headlights. Regarding the concern of increased traffic on Locust St., he emphasized that neither staffing nor function will be increased with the new facility and he does not anticipate any additional traffic, especially on Locust St. Councilmember Potter reiterated the question regarding the future use of the site on Beulah Road. Chief Morris responded that the new facility will encompass an 18-24-month build and there has been no definitive decision made regarding the future of the temporary use facility. He noted that renovations have been minimal in order to preserve options for future use.

Councilmember Patel requested information on the flooding that originated at the 114 Locust St. property. Chief Morris indicated that Dewberry is aware of the situation and has plans to address this issue. He further noted that the homes surrounding this location have similar issues with flooding and that he will be discussing this concern with neighbors at the Friday meeting. Councilmember Patel asked Mr. Feltman for his insight on future uses for the Beulah Road property, to which he replied that a natural use would be to sell it as a single family residence unless the Town has another use. Should any future use potentially effect property values, he requested advance notice. Councilmember Patel urged neighbors to address their issues in writing so that Council would have this information in the future. Councilmember Noble noted that with a two year build cycle Council

makeup would potentially have changed so suggested that a reminder to Council closer to project completion would be advisable.

Councilmember Noble inquired about storm water management, to which Director Gallagher responded that language indicates that the property must have an "improvement factor" and there are many ways to meet the requirement for mediation other than entirely on site. Councilmember Patel questioned whether onsite storm water management would improve the drainage issues in the surrounding neighborhood. Director Gallagher indicated that potentially it could, but it is all dependent upon the topography of the land.

Chief Morris responded to Councilmember Colbert's inquiry regarding updates indicating that these will be ongoing. The next step will include submission of construction documents to Planning for their comments and approval.

Councilmember Majdi asked for unanimous consent to allow tonight's speakers to ask any further questions. Mayor DiRocco clarified that the purpose of this hearing has been to address the proposed amendments. There will be opportunities to speak more generally in the future. While all citizen questions may not have been addressed this evening, without the proper documents in hand Council would not be adequately equipped to answer their concerns.

Councilmember Noble pointed out that with the February 12 Planning Commission meeting slated as the next step, there may not be adequate time to implement changes agreed upon in February 7 meeting with Mr. Jackson and other neighbors. Chief Morris stressed that each meeting will no doubt result in changes.

Town Manager Payton asked Director Petkac if a change in the document terminology from "Police" to "Government Concern" would be impactful, to which it was noted that State Code requires a certain degree of specificity for a public use proposal so the general "Government Concern" would likely not be approved.

It was moved to close the public hearing.

Motion Councilmember Springsteen
Second Councilmember Colbert
Motion carried unanimously.

It was moved to adopt proposed amendments to the Comprehensive Plans Future Land Use Plan designating Town-owned properties located at 114 Locust Street SW and 440 Beulah Road NE as governmental. It was further moved to adopt proposed amendments to the Comprehensive Plans Community Facilities and Services chapter, amending text under the 'Beulah Road Mulch Yard' and 'Police Department Headquarters' subsections with text recommended by the Planning Commission.

Motion Councilmember Springsteen
Second Councilmember Colbert
Motion carried unanimously.

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

Aye: 7 - Council Member Colbert, Council Member Majdi, Council Member Noble, Council Member Patel, Council Member Potter, Council Member Springsteen and Mayor DiRocco

20-1590 Second Closed Session

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, February 3, 2020, the Town Council met for discussion or consideration of personnel matters, specifically the annual performance evaluations of the Town Attorney, Town Manager, and the Town Clerk.

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 I further move that the closed session be continued to Saturday February 8, 2020 at 9:00am in accordance with Virginia Code Section 2.2-3711.A.(1), for discussion or consideration of personnel matters, specifically the annual performance evaluations of the Town Attorney, Town Manager, and the Town Clerk.

Motion Councilmember Colbert
Second Councilmember Springsteen
Motion carried unanimously.

Aye: 7 - Council Member Colbert, Council Member Majdi, Council Member Noble, Council Member Patel, Council Member Potter, Council Member Springsteen and Mayor DiRocco

6. Meeting Adjournment

Meeting was adjourned at 11:18pm.

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.