



Town of Vienna

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

Meeting Minutes Town Council Conference Session

Monday, October 18, 2021

7:30 PM

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

1. Resolution

A. [21-2626](#) Resolution for Continuity of Government

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

2. Regular Business

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

Staff: Mercury Peyton, Town Manager; Shelley Kozlowski, Deputy Town Clerk; Steve Briglia, Town Attorney; Marion Serfass, Director, Finance; Michelle Crabtree, Director, Human Resources (via ZOOM); Jim Morris, Chief of Police (via ZOOM).

A. [21-2623](#) Discussion of a Proposed 2022 General Assembly Legislative Agenda

Mayor Colbert welcomed State Senator Chap Peterson and Delegate Mark Keam, 35th District. Each year Town Council adopts a Legislative Agenda for submission to the Virginia General Assembly. Having previously met in Conference Session on June 14, 2021 to review last year's items for carry over and to present additional items for consideration, Town Attorney Steve Briglia presented the resulting 16 proposed agenda items. Senator Peterson and Delegate Keam responded to the agenda presenting insight into each item, stressing that all worthy items should be brought forward whether on the list or not.

Mayor Colbert called on Council to respond to the priorities. Among the comments and concerns were the following:

- Support for body worn cameras; should State remain quiet on this the Town may fully implement program; issues for concern include cost to implement and retain, privacy, etc.;*
- Request item added to priority list that would require disclosure of lot coverage percentage at time of property sale;*
- Support for amendments to FOIA open meeting provisions to accommodate virtual/remote participation in times other than emergencies; improves public participation in public service;*
- Consider similar law as Maine's Extended Producer Responsibility Program,*

whereby producers bear 100% municipality recycling costs, income used to reduce housing tax costs;

- Need to reintegrate community into public schools; consider how to introduce greater accountability into school board;

Council was instructed to submit a priority list to the Mayor. These priorities will be integrated into the agenda.

B. [21-2621](#)

Mandatory Change to November Elections

Mayor Colbert called on Attorney Brigilia to review Virginia Code changes requiring local Town Council elections to be held in November.

Council provided the following ideas:

- Concern regarding asymmetry to voter turnout for election year versus non election year;
- Suggest Council elections be held in odd years 2023/2025/2027 to preserve nonpartisan makeup of Council; would require increasing terms from two to four years; regional jurisdictions provide precedent for this;
- Concern that longer term will effect infusion of new ideas; will attract different type of candidate; will result in current Council resignations because of time commitment;
- Council disagreement on issue of term length; Citizens did not elect Council for extended term;
- General support for staggered terms; preserves institutional memory carry over;
- Suggested alternative to draft: Hold election in 2022, those up for election would run for a 3-year term and thereafter will be on a four-year election cycle; hold election in 2023, those elected in 2021 would stand for election to a 4-year term. Results would be that no current Council member would be required to serve more than the original term (plus the additional six months due to State Code change).
- All proposed changes (other than the required move to November elections) will require Charter amendment with approval by General Assembly;
- Can maintain nonpartisan November election by continued practice of no party affiliation designation on ballot; cannot avoid political party endorsement.

Attorney Brigilia will draft Charter amendments based on input, Town will submit General Assembly request for Charter amendment; will inform Council of dates and deadlines for submission. Mayor Colbert will invite Senator Peterson to attend the November 1, 2021 Council meeting.

C. [21-2620](#)

Discuss FY 2021 To FY 2022 Carry Forwards

Mayor Colbert called on Marion Serfass to present the item for discussion. Due to conservative budgeting from uncertainty surrounding the impact of the Coronavirus pandemic in FY 2020-21, the Town of Vienna has ended fiscal year 2020-21 with a \$900,000 surplus of revenues over expenditures in the General Fund. Director Serfass presented three scenarios for how, when and how much of the FY 2021 surplus to spend. BCOM supports both cutting the real estate tax rate and addressing wage rate pressure due to inflation and to make sure the Town is not at a competitive disadvantage when hiring new employees.

Council provided the following feedback;

Salary Increase

Concern that salary increases result in use of long term dollar, is this sustainable; consider targeted increases or incentives rather than across the board raise (i.e. retention bonuses); consider 2% salary increase to return to nonCOVID status; future increases depend upon CPI; consider non-monetary reasons for leaving position.

The following additional information was requested by Council:

- *Justification that Vienna Town salaries/wages are noncompetitive in the market;*
- *List of vacancies with critical positions highlighted;*
- *Data on past five year pay increases compared to other jurisdictions;*
- *Examples of positions lost to other jurisdictions in past year resulting from salary issues.*

Rainy Day Fund

- *Retain fund at level considered fiscally responsible;*
- *Healthy fund balance is 15%, Town maintains 18%; Majority prefer 18%-20%;*
- *This is people's money, must find balance between fiscal responsibility and returning dollars to the people in the form of services, etc.;*
- *Currently fund is at 21.5%.*

Unfunded Priorities

- *Address as many unfunded priorities as possible;*
- *Request prioritization of unfunded projects;*

Real Estate Tax

Majority support tax reduction in July over rebate.

Director Serfass noted that since the carry forward will exceed 1% of the FY General Fund budget, a public hearing will be required and advertisement must occur soon. She requested the list of unfunded priorities from Council Members by Friday October 22, 2021.

3. Meeting Adjournment

Mayor Colbert closed the Conference Session at 11:30 PM.

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