REGULAR COUNCIL MEETING

January 28, 2002

The Vienna Town Council met in regular session on Monday, January 28, 2002, in the Council Room of the Town Hall, 127 Center Street, South. Mayor M. Jane Seeman, called the meeting to order with the following members of Council present: Albert J. Boudreau, Steven D. Briglia, Robert P. McCormick, Vincent J. Olson, Michael J. Polychrones, and Maud F. Robinson. Also present were John H. Schoeberlein, Town Manager; John F. Gionfriddo, Town Attorney; and Carol A. Orndorff, Town Clerk.

The invocation was offered by Rev. Caroline Braskamp, Associate Pastor, Vienna Presbyterian Church; followed by the Pledge of Allegiance to the Flag of the United States of America.

APPROVAL OF THE MINUTES OF THE REGULAR COUNCIL MEETING OF JANUARY 7, 2002 AND SPECIAL COUNCIL MEETING OF JANUARY 14, 2002.

1. It was moved for the approval of the Minutes of the Regular Council Meeting of January 7, 2002 and Special Council Meeting of January 14, 2002.

Motion: Boudreau
Second: Briglia
(See Below)

Approval of the Minutes of the Regular Council Meeting January 7, 2002.

Motion carried: 6/1 Abstention

Abstaining: Boudreau (Not present at 1/7/02 Regular Meeting)

Approval of the Minutes of the Special Meeting of January 14, 2002.

Motion carried unanimously

RECEIPT OF PETITIONS AND COMMUNICATIONS FROM THE PUBLIC

Mr. Matthew DiFiore, 207 Owaissa Road, S.E. addressed Council and requested an update on the purchase and management of the real property located 242 Maple Avenue, E., by the Town.

Mayor Seeman stated the purchase and real estate closing on the property did occur on time in December, 2001 and currently the Town is managing the building until the expiration of all current tenant leases.

Mr. Schoeberlein indicated that majority of the leases will expire during the time frame of 2003 however, there is one tenant on a long term lease; currently the Town is managing the building by utilizing the rental revenues to pay the expenses pertaining to the building.

Councilman Boudreau stated that upon the latest financial review conducted by the Town Council, the earliest that another

bond issue could take place would be 2003; therefore, nothing will take place with the property prior to that time.

REPORT AND INQUIRIES OF COUNCIL MEMBERS

Councilman Boudreau requested that the Project Engineer provide the Town Council with a weekly report on the Maple Avenue Project.

Mayor Seeman indicated that at present the project was in the hands of the Federal Highway Administration for review and approval.

Mr. Glen Bates, Project Engineer, stated that upon information he had received this date from VDOT, they are anticipating approval from the Federal Highway Administration any day; that if all goes according to plan, May 1, 2002 is the anticipated date to issue the contractor notice to proceed.

Councilman Olson discussed with Mr. Bates the various Federal, State and local review boards the project plans must go through.

Councilman Briglia discussed with Mr. Bates the feasibility of furnishing an information packet to the Commonwealth Transportation Board, with Mr. Bates indicating the Board was responsible for review of the Bid Award only, which could not be supplied until the Town had awarded the bid. Upon further discussion of the various review processes, Mr. Bates and the Town Manager indicated they would discuss the various review procedures with Mr. Reggie Beasley of VDOT.

Councilman Boudreau at this time spoke on a proposed project regarding air pollution in the Northern Virginia area; an article on home preparedness in the event of disasters which appeared in the Washington Post; and tourism in the various areas of Virginia and Northern Virginia. He thereafter, distributed to members of Council a brochure on tourism in Northern Virginia and suggested that perhaps in the future the Town should consider participation with the Northern Virginia Regional Commission in this regard.

Councilwoman Robinson spoke on various bills before the General Assembly for consideration and thereafter, discussed with the Town Attorney those bills relative to land use issues and the impact upon the Town of Vienna.

Councilman McCormick discussed with Councilman Boudreau the proposed time frame for hiring an Historic Administrator by Historic Vienna, Inc.

REPORT OF THE TOWN MANAGER

None

REPORT OF THE MAYOR

Mayor Seeman gave an overview of the schedule of events for the Virginia Municipal League Legislative Day scheduled for February 1, 2002.

Mayor Seeman discussed with the Town Manager the inclusion of Talahi Road, S.E., into the sidewalk program. Mr. Schoeberlein indicated this could be accomplished and would be part of the proposal presented at the next Work Session.

The Mayor spoke of being in receipt of a letter from Mr. Gary Fenton, Northern Virginia Park Authority, rejecting the request of the Town Council to waive the parking fees along the W&OD Trail at the site of the newly acquired real property. She indicated that she would provide copies of the correspondence to Council Members in their Friday packets.

Mayor Seeman indicated that she had spoken with Mr. Tom Farley, of Virginia Department of Transportation in Northern Virginia, regarding monies for Town scheduled projects. She indicated that she conveyed to him the importance of the Beulah Road project; and that he had promised to provide information regarding the Beulah Road and Branch Road projects as soon as he could.

Mayor Seeman spoke on the TSC recommendation relative to the Locust and Park Street intersection, which she felt did not remedy the traffic situation at that location. She indicated that further consideration by Council Members should be given to the matter as the traffic impact would continue to increase over time.

PROPOSALS FOR ADDITIONAL ITEMS TO THE AGENDA.

None

PUBLIC HEARING ON A PETITION RECEIVED FROM THE VIENNA AQUATIC CLUB, INC. FOR EXEMPTION OF REAL ESTATE TAXATION.

See Official Minutes attached.

PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CHARTER OF THE TOWN OF VIENNA.

See Official Minutes attached.

PUBLIC HEARING ON A PROPOSED ORDINANCE TO AMEND CHAPTER 18, ZONING; ARTICLE 24, REZONING AND AMENDMENTS; SECTION 18-246 OF THE CODE OF THE TOWN OF VIENNA, PLANNING COMMISSION NOTICE AND HEARING, BY STRIKING THE WORD "SIX" AND INSERTING "FIVE", PERTAINING TO THE NUMBER OF DAYS BETWEEN FINAL PUBLICATION AND PUBLIC HEARING.

See Official Minutes attached.

RECOMMENDATION FROM THE TRANSPORTATION SAFETY COMMISSION FOR MULTI-WAY STOP SIGNS AND CROSSWALKS AT AYITO ROAD AND GLYNDON STREET, S.E.

Mayor Seeman stated that at the August 28, 2001 meeting of the Transportation Safety Commission, members considered a petition from the Oak Grove Civic Association requesting multi-

way STOP signs and crosswalks at Ayito Road and Glyndon Street, S.E. The Mayor indicated that after due consideration the TSC members have recommended in favor of the request.

Mayor Seeman called upon anyone in the audience desiring to speak on the proposal.

Mr. Steve Baum, 1004 Kerge Court, S.E., spoke in support of the proposal for multi-way stop signs and crosswalks at Ayito Road and Glyndon Street, S.E., on the basis of vehicular traffic patterns, speed of motorists and the number of children who cross at the intersection to and from school.

Mr. Matthew DiFiore, 207 Owassi Court, S.E., spoke in opposition to the proposal and suggested that other measures such as rumble strips and additional signage indicating "walking children" should be considered.

Mr. Steve Ordin, 8603 Locust Drive, stated that he walked the area with his children going to school and had observed speeding motorists. He felt the intersection represented a real danger and supported the request.

Mr. Ben Licodo, 303 Ayito Road, S.E., spoke in support of the request based on observed speeding motorists.

Mr. Bob Gibson, 304 Aponi Court, S.E., spoke in support based on the safety of the walking children.

Mr. George Creed, 217 Audrey's Court, S.E., spoke in opposition to the proposal based on the criteria established for installation of stop signs. He voiced concern regarding the line of sight on Glyndon Street and stated that he felt a stop sign would create a false sense of security.

Mr. Kaye Kause, 505 Tapawingo Road, S.W., representing the Transportation Safety Commission, addressed Council and stated that the "speed warrant" statistics as developed by the Police Department, do meet the requirements for stop signs however, the volume of traffic did not meet criteria.

Councilman Briglia discussed with Mr. Kause the warrants contained within the new Manual on Uniform Traffic Control Devices. Mr. Kause also indicated that it had been his minority recommendation that a speed hump be installed rather than a stop sign during the review by the TSC.

Councilmen Boudreau and McCormick further discussed with Mr. Kause the prevailing criteria contained in the new Manual on Uniform Traffic Control Devices, with Mr. Kause providing the information that a stop sign would be warranted based on speed but not volume.

Councilman Olson indicated that in reviewing the provided information on the request, the petition received indicated a real concern by the residents of the area. He further spoke on revising the curb area and relocation of the curb-cut, and that a crosswalk should be installed along with the stop signs; and that a warning sign should be installed at the top of the hill indicating stop sign ahead.

2. It was moved for the approval for the installation of multi-way STOP signs at the intersection of Ayito Road and Glyndon Street, S.W., with a crosswalk to be added and a "stop sign ahead" warning sign to be painted at the top of the hill and a florescent painted warning sign in the middle of the street, in white letters.

Motion: Boudreau
Second: Robinson
(See Below)

Councilman Olson requested a division of the Motion for purposes of voting clarity.

It was moved for the approval for the installation of multi-way STOP signs at the intersection of Ayito Road and Glyndon Street, S.W., with a crosswalk also to be added.

Motion carried unanimously
Poll vote

Voting Aye: Boudreau, Briglia, McCormick, Olson, Polychrones, Robinson, Mayor Seeman

It was moved that a "stop sign ahead" warning sign be painted at the top of the hill and a florescent painted warning sign also be painted in the middle of the street, in white letters.

Motion carried: 4/3
Poll vote

Voting Aye: Boudreau, Polychrones, Robinson, Mayor Seeman
Voting Nay: Briglia, McCormick, Olson

AUTHORIZATION TO EXTEND CONTRACT RFP 98-03 FOR ENGINEERING SERVICES TO TRI-TEK ENGINEERING.

3. It was moved for approval to extend Contract RFP 98-03 for Engineering Services (as needed), to Tri-Tek Engineering with a 2.48% increase in hourly rates and miscellaneous fees as permitted by contract and running through January 28, 2003. I further move that funding to come from the various project accounts for which work is accomplished.

Motion: Briglia
Second: Olson
Carried unanimously - Poll vote

Voting Aye: Boudreau, Briglia, McCormick, Olson, Polychrones, Robinson, Mayor Seeman

APPROVAL TO RIDE COUNCIL OF GOVERNMENTS (COG) EXTENDING CONTRACT WITH MONTGOMERY COUNTY, MARYLAND AS THE LEAD JURISDICTION FOR THE COOPERATIVE PURCHASE OF ROAD/DEICING SALT.

4. It was moved for the approval to ride Montgomery County, Maryland Council of Governments contract for Road/Deicing Salt (Bid IFB #1506000042), extended through May 31, 2002,

with International Salt Company, LLC. for 400 tons of Road/Deicing Salt for the 2001/2002 snow removal season, with a bid price of $39.23/Ton or $15,692.00. It was further moved that said funds be taken from the General Fund, Account Number #10431-46015.

Motion: Polychrones
Second: Briglia
Carried unanimously - Poll vote

Voting Aye: Boudreau, Briglia, McCormick, Olson, Polychrones, Robinson, Mayor Seeman

EXECUTION OF AGREEMENT WITH DOMINION VIRGINIA POWER FOR UTILITY RELOCATION FOR PHASE 3 MAPLE AVENUE ENHANCEMENT PROJECT.

5. It was moved that the Town of Vienna accept the proposal of Dominion Virginia Power to perform the required utility relocation for the Phase 3 Maple Avenue Enhancement Project for the sum of $57,239.90 with funding to come from the 2002 Bond Fund Account Number #360406-48009. It was further moved that the Mayor be authorized to sign the letter of agreement for said utility relocation and the Town Clerk to attest same.

Motion: Mayor Seeman
Second: Robinson
Carried unanimously - Poll vote

Voting Aye: Boudreau, Briglia, McCormick, Olson, Polychrones, Robinson, Mayor Seeman

APPROVAL OF A RESOLUTION ESTABLISHING THE MAPLE AVENUE VISION COMMITTEE.

6. It was moved for the adoption of the Resolution establishing the Maple Avenue Vision Committee as drafted by the Town Attorney. It was further moved the Mayor is authorized to sign the Resolution and the Town Clerk to attest same.

Motion: Polychrones
Second: Mayor Seeman
Carried unanimously - Poll vote

Voting Aye: Boudreau, Briglia, McCormick, Olson, Polychrones, Robinson, Mayor Seeman

7. It was moved to amend the main Motion by inserting the language "at least" in the third line of the first "Now Therefore" paragraph, between the word "of" and the word "seven".

Motion: Boudreau
Second: Briglia
Motion carried: 4/3 - Poll vote

Voting Aye: Boudreau, Briglia, Olson, Polychrones
Voting Nay: McCormick, Robinson, Mayor Seeman

ADOPTION OF A PROPOSED RESOLUTION AWARDING THE FINANCING OF A $4,900.000.00 DEBT SERVICE TO SUNTRUST BANK AT A FIXED RATE OF 4.17 PERCENT AS BID IN RESPONSE TO IFB #02-17.

8. It was moved for the adoption of Proposed Resolution awarding the financing of the 2002 Debt Issue in the amount of $4,900,000.00 for a term of fifteen (15) years to SunTrust Bank at a fixed rate of 4.17 percent. It was further moved that said Resolution be executed by the Mayor and the Town Clerk to attest same.

Motion: Mayor Seeman
Second: Boudreau
Carried unanimously - Poll vote

Voting Aye: Boudreau, Briglia, McCormick, Olson, Polychrones, Robinson, Mayor Seeman

APPROVAL TO PURCHASE POSTAGE MACHINE REPLACEMENT VIA COOPERATIVE PURCHASE GSA CONTRACT.

9. It was moved for the approval to purchase a Neapost Postage Machine, Model 1J75 through a cooperative purchase with a GSA contract for a first year cost not to exceed $5,941.00.

Motion: Boudreau
Second: Robinson
Carried unanimously - Poll vote

Voting Aye: Boudreau, Briglia, McCormick, Olson, Polychrones, Robinson, Mayor Seeman

REQUEST FOR SUPPLEMENTAL APPROPRIATION OF RESERVES FROM PRIOR FISCAL YEAR TO FYE 2002.

10. It was moved for the supplemental appropriation of $299,993.00 from the General Fund Unallocated Balance to the FYE 2002 General Fund Budget Accounts as requested in the list prepared by the Director of Finance.

Motion: Polychrones
Second: Briglia
Carried unanimously - Poll Vote

Voting Aye: Boudreau, Briglia, McCormick, Olson, Polychrones, Robinson, Mayor Seeman

*Noted for the record, copy of FYE 2002 General Fund Budget Accounts list attached to Official Minutes.

11. It was moved to adjourn.

Motion: Polychrones
Second: Robinson
Carried unanimously

The Regular Meeting of Council adjourned at 10:15 P.M.

MAYOR

Signed/Dated: 2/25/02

ATTEST:

Town Clerk