

Regular Council Meeting

January 30, 2012

The Town Council met in regular session on Monday, January 30, 2012, in the Council Room of the Charles A. Robinson Jr. Town Hall at 127 Center Street, South in Vienna, Virginia. Mayor M. Jane Seeman called the meeting to order at 8:00 p.m. with the following members of Council present: Laurie Genevro Cole, Laurie A. DiRocco, Edythe Frankel Kelleher, Michael J. Polychrones, Carey J. Sienicki and Howard J. Springsteen. Also present were Mercury T. Payton, Town Manager, Steven D. Briglia, Town Attorney and Melanie J. Clark, Town Clerk.

Reverend Garry Genser of the Vienna Seventh-Day Adventist Church opened the meeting with an invocation. The meeting continued with the recitation of the Pledge of Allegiance to the Flag of the United States of America.

APPROVAL OF THE MINUTES

It was moved for the approval of the minutes of the Regular Council meeting and one Public Hearing of January 9, 2012 and the Work Session of January 23, 2012.

Motion: Councilmember DiRocco
Second: Councilmember Polychrones
Carried Unanimously- Poll Vote

RECEIPT OF PETITIONS AND COMMUNICATIONS FROM THE PUBLIC

A few local Boy Scouts from Troop 987 and Troop 152 introduced themselves to Council. They are working on the Citizenship in the Community Badge and the Communication Badge.

REPORT AND INQUIRIES OF COUNCIL MEMBERS

Councilmember DiRocco thanked Mercury Payton, Cathy Salgado, Bill Murray, Marion Serfass and Michael Gallagher for participating in Town of Vienna Day at Thoreau Middle School on January 19, 2012. They talked with the eighth graders about what the staff does, what they do on a regular basis and how ordinances are passed. She appreciates their time and energy.

Councilmember Springsteen commented on an article in the Washington Post regarding the Police Department and thinks it painted them in an unfavorable way.

He knows Bill Murray responded and thinks he should be complimented on his reply. Mayor Seeman stated that Office Murray did a great job of responding. She also stated that she heard from the Mayor of Leesburg who stated that she giggled all the way through the article. Most people realize that this was just the more interesting personal things that happened and that the Police Department is there for everybody.

Councilmember Kelleher mentioned that there are a lot of drivers crossing the double yellow line on Park Street southbound as they approach Maple Avenue on Center St., northbound and southbound and she almost witnessed a head on collision by someone trying to avoid a head on collision because he was in the wrong lane. She would like the Police to start writing tickets again to get people to realize the danger it can cause.

Councilmember Cole responded to Councilmember Springsteen's remarks in that she has actually heard from people that were gently amused by the article, she didn't think it was ridicule. She has always thought that being in the Washington Post Magazine just never turns out well but it was actually handled fairly nicely and all the reactions she has heard from people that read it have been positive.

Councilmember Cole reported that she and the Mayor attended the Fairfax County Planning Commissions Tysons Corner Committee meeting and there was a very important development in this long process because the County staff has published an anticipated time table for all the transportation improvements that will be necessary for the first forty years of Tysons development. This is really a monumental undertaking for them to try and project forty years into the future for what those needs are going to be. There are massive improvements that are going to take place that have been talked about for so long without even thinking that they are going to have to be phased over time, partly because of the cost and how they are going to be paid for and who is going to pay for it and also just because of the scale of some of these projects. Interestingly enough two of the projects that are geographically closest to the Town of Vienna are about twenty years down the road; the widening of Gallows Road and the widening of Route 123. The funding is moving along, the commissions committee has asked the County staff to go ahead with an analysis of splitting the funding 90/10 for projects they have defined as primarily or predominantly privately funded and publicly funded. If a project was labeled predominantly a public obligation, then 90% of the money will come from public funds which are county bond funds, county taxes and other forms of county revenue, and 10% from private developer funds. There is a discussion about where Federal and State funds, should there ever be any, fit into this which they have to parse that out. The other side is that when a project is determined to be predominantly private then 90% of that will come from private funds and the onus is on the Tysons Partnership to get its membership and the land owners to agree as to what sort of mechanism they are going use to ante up their share. She stated that this is really the nuts and bolts of this phase of the development and getting the

comprehensive plan amendment done was the first huge step. Over the course of forty years with inflation adjusted dollars it is going to be over 5 billion dollars in transportation costs alone to build all these improvements.

Councilmember Sienicki reported that the Park Authority is seeking comments on proposed fee structure changes which can be left online through the Fairfax County Park Authority website or you can attend their meeting on February 1, 2012 in room 106 of the Herrity Building.

Councilmember Sienicki also reported that she had a wonderful time at the Martin Luther King celebration held at the First Baptist Church, it was a fabulous thing and would encourage anyone that has not been to it to go.

REPORT OF THE TOWN MANAGER

Mr. Payton reported on an email that he received congratulating the Town on the Green Homes Initiative.

Mr. Payton also reported that he received a note from a citizen thanking Brandy Wyatt who works with Parks & Recreation regarding their daughters 13th birthday party at Club Phoenix. She stated that Club Phoenix was a wonderful venue and that she and her daughter had a very positive experience.

REPORT OF THE MAYOR

Mayor Seeman reported that she has received quite a few emails regarding sidewalks, mostly to Vienna Elementary which Council will be discussing at their work session on 13th. There were a couple of emails asking about crosswalks as well and thinks that is something Council could look into having done now.

Mayor Seeman reported that the Governor will be adding money to the 599 Program, it sounds like there is going to be an increase of 3.3% in FY2013 and 4.5% in FY2014.

Mayor Seeman also reported on the bills that are being heard in Richmond, one being on party labels requiring local elections to have party labels by their candidates. Vienna feels very strongly that political parties do not have any business with our local affairs and has it stated very clearly in the Charter. It failed in the house but there is still the Senate Bill that is being heard. Another bill is House Bill 405 that only pertains to this area, planning district 8, where it says that no private citizens may be appointed as a member of the Planning Commission who is a compensated employee or a compensated member of a non-profit association or organization where such association advocates for or against the environment, or land use policies or regulatory determinations of local government. She cannot figure out where this bill is coming

from and why but it is not a good thing for them to be telling localities who they can and cannot appoint as Planning Commissioners; this bill will be heard February 3rd.

PROPOSALS TO ADD ADDITIONAL ITEMS TO THE AGENDA

None

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, January 30, 2012, the Town Council met for purposes of discussing matters pertaining to personnel, specifically, the interviewing of individuals interested in re-appointment to Town Boards and Commissions, and also to discuss a personnel leave issue.

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.

It was further moved that the Closed Session be continued to February 6, 2012 at 7:15 p.m. in accordance with Virginia Code Section 2.2-3711.A(1) for purposes of discussing matters of personnel, specifically, the interviewing of individuals interested in appointment and/or reappointment to Town Boards and Commissions.

Motion: Councilmember Kelleher
Second: Councilmember DiRocco
Carried Unanimously- Poll vote

Voting Aye: Cole, DiRocco, Kelleher, Polychrones, Sienicki,
Mayor Seeman
Abstained: Springsteen

It was moved that Mr. Arthur (Chad) Bishop be re-appointed to the Community Enhancement Commission for a term of two years, said term to be effective retroactive to January 1, 2012 and will expire January 1, 2014.

Motion: Councilmember Kelleher
Second: Councilmember Cole
Carried Unanimously- No Poll vote

It was moved the Mr. Donald Chumley be recommended to the Fairfax County Circuit Court for re-appointment to the Board of Zoning Appeals for a five year term of office.

Motion: Councilmember Kelleher
Second: Councilmember DiRocco
Carried Unanimously- Poll vote

Voting Aye: Cole, DiRocco, Kelleher, Polychrones, Sienicki, Springsteen
Mayor Seeman

AGENDA ITEM #5

CONTINUATION OF THE PUBLIC HEARING TO CONSIDER PROPOSED MODIFICATIONS AND AMENDMENTS TO THE TOWN CODE CHAPTER 13A, REFUSE STORAGE: COLLECTION AND DISPOSAL.

See official minutes attached

AGENDA ITEM #6

CORRECTION OF AMOUNT REQUESTED FOR ADDITIONAL ENGINEERING SERVICES AS A PART OF THE TOWN HALL HVAC PROJECT.

Motion: Councilmember Springsteen
Second: Councilmember Polychrones
Carried Unanimously-Poll vote

Voting Aye: Cole, DiRocco, Kelleher, Polychrones, Sienicki, Springsteen,
Mayor Seeman

AGENDA ITEM #7

AWARD OF RFP 12-05, 4TH OF JULY FIREWORKS DISPLAY

It was moved for the approval of RFP 12-05, July 4th Fireworks Display, to Bay Fireworks of Farmingdale, New York, in the amount of \$14,800 to be paid from account #10715-47707 pending approval of the FY 12/13 budget.

Motion: Councilmember DiRocco
Second: Mayor Seeman
Carried Unanimously- Poll vote

Voting Aye: Cole, DiRocco, Kelleher, Polychrones, Sienicki, Springsteen,
Mayor Seeman

AGENDA ITEM #8

CATASTROPHIC LEAVE REQUEST FOR KELLY WILLIAMS.

It was moved for the approval of retroactively granting catastrophic leave in the amount of 28-8 hour work days to Town employee Kelly Williams. This catastrophic leave does not have to be repaid back to the Town of Vienna.

Motion: Councilmember Polychrones
Second: Councilmember Cole
Carried Unanimously- Poll vote

Voting Aye: Cole, DiRocco, Kelleher, Polychrones, Sienicki, Springsteen,
Mayor Seeman

AGENDA ITEM #9

SET PUBLIC HEARING DATE FOR PUBLIC PRIVATE EDUCATION ACT GUIDELINES

It was moved for Council approval to set a Public Hearing date of February 27, 2012.

Motion: Councilmember Kelleher
Second: Councilmember DiRocco
Carried Unanimously- Poll vote

Voting Aye: Cole, DiRocco, Kelleher, Polychrones, Sienicki, Springsteen,
Mayor Seeman

AGENDA ITEM #10

SET PUBLIC HEARING TO CONSIDER ADOPTION OF PROPOSED BOND ORDINANCE.

It was moved that a Public Hearing on a Proposed Bond Ordinance be scheduled at the regular Council Meeting of February 27, 2012. It was further moved that the Town Clerk be authorized to advertise Notice of Public Hearing.

Motion: Mayor Seeman
Second: Councilmember Cole
Carried Unanimously- Poll vote

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Voting Aye: Cole, DiRocco, Kelleher, Polychrones, Sienicki, Springsteen,
Mayor Seeman

**It was moved to adjourn the Regular Council Meeting of January 9, 2012 at
9:50 p.m.**

Motion: Councilmember Kelleher
Second: Councilmember Cole
Carried Unanimously- No Poll Vote

Signed / Dated: _____

M. Jane Seeman, Mayor

Attest:

Melanie J. Clark, Town Clerk