

Regular Council Meeting

March 19, 2012

The Town Council met in regular session on Monday, March 19, 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 David Jordan-Haas of the Vienna Presbyterian 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 two Public Hearings of February 27, 2012, the Regular meeting of March 5, 2012 and the Work Session meeting of February 13, 2012 as submitted.

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

RECEIPT OF PETITIONS AND COMMUNICATIONS FROM THE PUBLIC

None

PRESENTATIONS

Susan Stillman of the Community Enhancement Commission and Mayor Seeman presented Holiday Awards to the Franklin household locate at 703 Upham Place NW and the Hart household located at 117 Hickory Circle SW.

REPORT AND INQUIRIES OF COUNCIL MEMBERS

Councilmember DiRocco reminded Council and residents that if they have any questions, concerns or comments regarding the Fairfax County 2012-13 budget, the Hunter Mill budget meeting with Supervisor Hudgins will be held on Saturday March 31, 2012 from 11:00 a.m. to 1:00 p.m. at the Vienna Community Center.

Councilmember DiRocco mentioned that in the Board of Zoning Appeals minutes from February 15, 2012, under the new business section, Chairman Chumley asked that the Mayor and Town Council look at disclosure of lot coverage information to new residents; one of the issues was knowing the amount of lot coverage and the second issue was when to contact Planning & Zoning if you choose to build a patio, a sports court etc., she would like to know what information regarding lot coverage is given out to an owner of a home that has been purchased for the second time or it is not a new home? Mr. Hembree stated that when someone calls he provides all the information they need and also directs them to the Town's website. He tries to watch for homes going up for sale and questions the realtor so he can provide the information but it is impossible to catch all of the real estate transactions. Councilmember DiRocco suggested that it may be a good idea to include the information in the Newcomer's Guide along with the other information that we provide. Another suggestion was to put an article in the Newsletter periodically, maybe run the article every June letting new residents know some of the things they should be thoughtful of.

Councilmember DiRocco mentioned that they have received emails from Craig Bradley and some other residents regarding the noise emanating from the air condition units on top of the building at 801 Follin Lane SE and she would like to know what the status is regarding this, the residents have been very patient and would like to see this resolved. Mr. Briglia stated that he has asked Lynn Strobel, the attorney for the landlord, to set up a meeting with the Mayor, the landlord and GSA so they can discuss a resolution.

Councilmember Kelleher reported that the SALT Organization will be holding the Richmond Wrap Up on March 31, 2012 at 9:00 a.m. at the American Legion Post. They usually have about 10 or 12 Northern Virginia Legislators to attend the meeting to address issues and answer questions.

Councilmember Springsteen mentioned that he was pleased to see that the silt removal projects on Nutley St. that Council had approved are being completed.

Councilmember Sienicki thanked the Mayor for organizing the wonderful Vienna at Your Service program at the Elks Lodge, it was a wonderful presentation.

Councilmember Sienicki also mentioned that she enjoyed attending VTRCC luncheon for Youth in Education with Mayor Seeman and Councilmember Cole.

Councilmember Sienicki also mentioned that Fairfax County had a site plan approval for 31,884 square foot public facility on 2.53 acres and 3001 Vaden Drive in Metro West. Mayor Seeman stated that they are advertising it as a Community Center, the Fairfax/Vienna Community Center.

REPORT OF THE TOWN MANAGER

Mr. Payton reported that they have received a letter from a citizen that wanted to recognize her interaction with Ming Peng of the Finance Department and the wonderful customer service. She also mentioned that she really appreciated Vienna's Newsletter.

REPORT OF THE MAYOR

Mayor Seeman reported that Historic Vienna Inc. will be holding their spring meeting and will be giving out the heritage award and will have musical entertainment.

Mayor Seeman also reported that on Saturday March 24th Delegate Mark Keam will be at Town Hall beginning at 9:30 a.m.

Mayor Seeman announced that the Town Budget hearing will be held on April 2, 2012.

Mayor Seeman reported that longtime Vienna little league baseball personality, Freddy Crabtree has passed away at the age of 96. Freddy was known as Mr. Vienna Little league. Service will be held on Sunday March 25th at the Bruin Chapel Methodist Church on Cedar Lane at 3:00 p.m.

Mayor Seeman mentioned that there was an issue at the BZA meeting regarding driveways and the BZA had given residents the lot coverage to pave the entire driveway and she remembers that a number of years ago they talked about and adopted pavers and then realized that the ground between the pavers just packed so solid and she thinks there may be some new products out there that they just might want to look at and investigate further for driveways, parking lots, etc.

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 March 19, 2012, the Town Council met for purposes of discussion of personnel matters, specifically the interviewing of individuals for consideration of re-appointment to Town Boards and Commissions.

It was further moved that the Certification Resolution be adopted in accordance with State Statutes, and the Town Clerk is authorized to execute the Certification Resolution.

It was further moved that the closed session be continued to the conclusion of tonight's regular Council meeting in accordance with VA Code Section 2.2-

3711.A(1) for purposes of discussion of a personnel matter relating to a specific employee or employees, and also matters of potential litigation.

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

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

It was moved that Margaret James be re-appointed to the Town/Business Liaison Committee for a two year term of office. Said term shall be effective April 19, 2012, and will expire April 19, 2014.

It was further moved that Joanne Burke be re-appointed to the Community Enhancement Commission for a two year term of office. Said term shall be effective April 19, 2012, and will expire April 19, 2014.

Motion: Councilmember Kelleher
Second: Councilmember Polychrones
Carried Unanimously – No Poll vote

AGENDA ITEM #5

PPEA UNSOLICITED PROPOSAL FOR A PARKING STRUCTURE ON CHURCH STREET.

It was moved for Council approval to receive the Unsolicited Proposal and direct Town Staff to post the Proposal in prominent locations in accordance with the Town's PPEA Guidelines.

Motion: Councilmember Polychrones
Second: Councilmember DiRocco
Carried Unanimously – Poll vote

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

Mr. Briglia stated that because of the waiver of the review fee that is listed in our PPEA Guidelines and because of the details of the proposal he recommends that Council waive the application fee. The application has been submitted with enough

details that it is not going to take the work of Council to go back and forth with the applicant to screen it. Mr. Briglia and Mr. Payton both recommend that the fee be waived. He also stated that Council should make a motion to waive the fee.

It was moved to waive the application fee.

Motion: Councilmember Polychrones
Second: Councilmember DiRocco
Carried Unanimously: No poll vote

AGENDA ITEM #6

ADOPTION OF THE PROPOSED GENERAL OBLIGATION DEBT ISSUE.

It was moved for adoption of the General Obligation Debt Ordinance authorizing the Town to issue general obligation debt in an amount not to exceed \$9,000,000. It was further moved that the Town Clerk be authorized to advertise the Notice of Adoption.

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

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

AGENDA ITEM #7

SURREY ESTATES SUBDIVISION PARTIAL SURETY RELEASE.

It was moved for Council to approve a reduction to \$243,038 of the subdivision public improvement surety amount, to be held along with the tree surety of \$116,789.52 until all public improvements for the Surrey Estates Subdivision are completed. The original 18-month public improvement subdivision deadline of March 24, 2013 will remain unchanged.

Motion: Councilmember Sienicki
Second: Councilmember DiRocco
Carried Unanimously – Poll vote

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

AGENDA ITEM #8

SET DATE FOR A PUBLIC HEARING ON REVISIONS TO §18-87.3.C. AREA REQUIREMENTS-HEIGHT.

It was moved for the approval of setting a public hearing date of April 16, 2012, for consideration of a proposed ordinance to amend the Height Requirements in Section 18-87.3.C. of the Vienna Town Code to permit the construction of Municipal Parking Structures at a height of 50 feet.

Motion: Councilmember DiRocco
Second: Councilmember Cole
Carried Unanimously – No Poll vote

It was moved to recess into closed session at 8:51 p.m.

Mayor Seeman called the regular meeting back in session at 9:51 p.m., all members were present.

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 March 19, 2012, the Town Council met for purposes of personnel matters relating to a specific employee or employees, and also matters of potential litigation.

It was further moved that the Certification Resolution be adopted in accordance with State Statutes, and the Town Clerk is authorized to execute the Certification Resolution.

It was moved that the Closed Session be continued to April 2, 2012 at the conclusion of the Regular Council Meeting in accordance with Virginia Code Section 2.2-3711.A(29), for purposes of discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussions of the terms or scope of such contract, where discussions in an open session would adversely affect the bargaining position or negotiating strategy of the public body.

Motion: Councilmember Kelleher
Second: Mayor Seeman
Carried Unanimously – Poll vote

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

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It was moved that the Town Attorney is hereby authorized to proceed on the two items discussed during the closed session in the manner recommended by the Town Attorney in the closed session.

Motion: Councilmember Kelleher

Second: Councilmember Cole

Carried Unanimously – Poll vote

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

It was moved to adjourn the Regular Council Meeting of March 19, 2012 at 9:53 p.m.

Motion: Councilmember Kelleher

Second: Mayor Seeman

Carried Unanimously- No Poll Vote

Signed / Dated: _____

M. Jane Seeman, Mayor

Attest:

Melanie J. Clark, CMC
Town Clerk