

Regular Council Meeting

June 4, 2012

The Town Council met in regular session on Monday, June 4, 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 Mary Katherine Morn of the Unitarian Universalist Congregation 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 May 21, 2012 as submitted.

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

It was moved to amend a previous motion approving the May 7, 2012 minutes as the April 16, 2012 Public Hearing which was incorrect.

It was further moved for the approval of the minutes of the Public Hearing on Water & Sewer rates of April 16, 2012 and the second Public Hearing on Water and Sewer Rates of May 7, 2012.

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

SWEARING IN OF NEWLY ELECTED COUNCIL MEMBERS

Judge Brett Kassabian of Fairfax County Circuit Court provided the Oath of Office to the newly elected Mayor and Council Members.

RECEIPT OF PETITIONS AND COMMUNICATIONS FROM THE PUBLIC

Local Boy Scouts from Troop 152, working on their Communications Badge, introduced themselves to Council.

Netta Davis, 502 Mashie Dr. addressed Council regarding 801 Follin Lane and the issue that is still going on with the noise. Mayor Seeman stated that they are finally meeting with the right people and she has great hopes for the meeting. Councilmember Springsteen stated that he saw Congressman Connolly on Memorial Day and he stated that he had personally delivered a letter to the GSA Acting Director and he was pretty frustrated with what has been going on.

REPORT AND INQUIRIES OF COUNCIL MEMBERS

Councilmember Sienicki thanked Public works for having a fabulous Public Works Day. The weather was perfect and she was amazed at how many people were enjoying the event.

Councilmember Springsteen reported to Planning & Zoning that the problem house on Taswell is getting a lot of trash dumped in the yard again.

REPORT OF THE TOWN MANAGER

Mr. Payton reported thanked Parks & Recreation, Public Works and Police for their work on Viva Vienna. They received some thank you's from citizens with regards to the execution of the evacuation plan carried out by the Police Department; it was very timely and well done.

REPORT OF THE MAYOR

Mayor Seeman also thanked the Police, Parks & Recreation and Public Works for making Viva Vienna such a huge success. One of the Rotary members went by the morning after and said they could not find anything, it was spotless. The Rotary will be having a meeting to go over the event and look at what went right, what went wrong and to discuss ideas. Her role in that will be as a liaison with the businesses on Church Street and how we can better communicate with them.

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 June 4, 2012,

the Town Council met for purposes of discussion of personnel matters, specifically the interviewing candidates interested in re-appointment to a Town Board or Commission and Council appointments to Local Committees.

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 June 18, 2012 at 7:15 p.m. in accordance with VA Code 2.2-3711.A. (1) for purposes of discussion of personnel matters, specifically the interviewing of candidates interested in appointment and or re-appointment to Town Boards and Commissions.

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

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

It was moved that Jim Hendricks be re-appointed to the Planning Commission for a two year term of office, said term shall be effective June 7, 2012 and will expire June 7, 2014.

It was further moved that Melvin McCoy be re-appointed to the Planning Commission for a two year term of office, said term shall be effective June 21, 2012 and will expire June 21, 2014.

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

It was moved that the following Council Members be appointed to Local Committees for Fiscal year 2012-13:

Northern Virginia Regional Commission – Mayor M. Jane Seeman

Town Employee Retirement Committee – Councilman Howard J. Springsteen

Representative to the Fairfax County Board of Supervisors – Councilwoman Edythe Frankel Kelleher

Representative to Historic Vienna Inc. – Councilman Michael J. Polychrones

Regular Council Meeting

June 4, 2012

Page 4 of 11

**Representative to the Hunter Mill Land Use Advisory Committee –
Councilwoman Laurie A. DiRocco**

**Representative to the Northern Virginia Regional Park Authority-Councilwoman
Laurie Genevro Cole**

**Representative to the Fairfax County Park Authority – Councilwoman Carey
Sienicki**

Mayor Pro Tempore for FY 2012-12 – Howard J. Springsteen.

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

AGENDA ITEM #5

CONSENT AGENDA:

- A. Renewal of IFB 10-11, Printing and Mailing of Town Newsletter**
- B. CDW-G Software Maintenance and Computer Supplies**
- C. Howard Uniform Agreement**
- D. New World Software Maintenance Agreement**
- E. Radio Maintenance Agreement**
- F. Vehicle Rental Agreement**

**It was moved for approval of consent agenda items 5A through 5F as
submitted**

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

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

AGENDA ITEM #6

**PUBLIC HEARING: CONSIDERATION OF AN ORDINANCE TO AMEND CHAPTER 11,
PERSONNEL CODE**

See Official Minutes

AGENDA ITEM #7

PUBLIC HEARING FOR A PROPOSED ORDINANCE TO AMEND THE CODE OF THE TOWN OF VIENNA, CHAPTER 10, OFFENSES- MISCELLANEOUS; ARTICLE 5, OFFENSES AGAINST THE PEACE, DIVISION 1. GENERALLY, SECTION 10-40, AIRGUNS, SLINGSHOTS, ETC. -- USE PROHIBITED.

See Official Minutes

Motion: Mayor Seeman
Second: Councilmember Cole
Carried Unanimously –No Poll vote

AGENDA ITEM #8

PUBLIC HEARING ON A REQUEST FOR APPROVAL OF A PROPOSED ORDINANCE TO CODE OF THE TOWN OF VIENNA, CHAPTER 17, SUBDIVISIONS, DIVISION 5, LOTS, BY ADDING NEW SECTION 17-60.1 ENTITLED "LOT SHAPE FACTOR.

See Official Minutes

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

AGENDA ITEM #9

APPROVAL OF LARDNER/KLEIN LANDSCAPE ARCHITECTS, P.C., AND ASSOCIATED FIRMS TO PROVIDE THE SERVICES OUTLINED IN RFP 12-06 FOR THE MAPLE AVENUE CORRIDOR PROJECT. (CONTINUED FROM MAY 21, 2012).

It was moved for the approval of Lardner/Klein Landscape Architects, P.C. to provide consultant services to the Town of Vienna for the Maple Avenue Corridor Project for an amount not to exceed an overall cost of \$125,000.00 from account number 10811- 43101.

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

Councilmember Cole suggested an amendment to the motion by adding “as of July 1, 2012.”

Motion: Councilmember Cole
Second: Councilmember Kelleher
Carried Unanimously: Poll vote

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

AGENDA ITEM #10

SET PUBLIC HEARING DATE ON A PROPOSED ORDINANCE TO AMEND CHAPTER 18, ZONING, ARTICLE 10, T-TRANSITIONAL ZONE REGULATIONS, SECTION 18-66, PERMITTED USES AND SECTION 18-67, CONDITIONAL USES TO ALLOW AS A BY-RIGHT PERMITTED USE "CERTIFIED MASSAGE THERAPISTS AS DEFINED IN THIS CODE" AND TO REMOVE SAME FROM THE LIST OF CONDITIONAL USES.

It was moved for the approval of setting a public hearing date of July 2, 2012, for consideration of a proposed Ordinance to Amend Chapter 18, Zoning, Article 10, T-Transitional Zone Regulations, Section 18-66, Permitted Uses and Section 18-67, Conditional Uses to allow as a by-right permitted use "Certified Massage Therapists as defined in this Code" and to remove same from the list of conditional uses.

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

AGENDA ITEM #11

SET DATE FOR A PUBLIC HEARING ON A CHANGE IN ZONING FROM RM-2, MULTI-FAMILY, LOW DENSITY ZONE TO PR-PARK AND RECREATIONAL ZONE FOR FAIRFAX COUNTY TAX MAP PARCEL 38-4 ((2)) 140, NOW ADDRESSED AS 140 LOCUST STREET SE, AND ENCLOSING AN AREA OF 9,241 SQUARE FEET.

It was moved for the approval of the setting a public hearing date of July 2, 2012 for consideration of a change in zoning from RM-2, Multi-Family, Low Density zone to PR-Park and Recreational zone for Fairfax County Tax Map Parcel 38-4 ((2)) 140, now addressed as 140 Locust Street SE, and enclosing an area of 9,241 square feet."

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

AGENDA ITEM #12

SET PUBLIC HEARING DATE ON A PROPOSED ORDINANCE TO AMEND CHAPTER 18, ZONING, ARTICLE 18, SUPPLEMENTAL REGULATIONS, SECTION 18-169, BAY WINDOWS, EAVES, DECKS AND OTHER ARCHITECTURAL FEATURES.

It was moved for the approval of setting a public hearing date of July 2, 2012 for consideration of a Proposed Ordinance to Amend Chapter 18, Zoning, Article 18, Supplemental Regulations, Section 18-169, Bay Windows, Eaves, Decks and Other Architectural Features.

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

AGENDA ITEM #13

APPROVAL OF BARBED WIRE ATOP CHAIN-LINK FENCING FOR 901 FOLLIN LANE, SE.

It was moved for the approval of the request for barbed wire fencing located at 901 Follin Lane, SE, with the condition that the barbed wire fencing is to match that of the existing fence located at 801 Follin Lane, SE. and that should the tenant of the building change to an entity that does not meet the standards requiring the security under the Town's ordinance that the fencing be removed.

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

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

AGENDA ITEM #14

APPROVAL OF THE 2012 OKTOBERFEST AGREEMENT BETWEEN THE TOWN OF VIENNA AND THE VIENNA TYSONS REGIONAL CHAMBER OF COMMERCE (VTRCC).

It was moved for the approval of the 2012 Oktoberfest Agreement between the Town of Vienna and the Vienna Tysons Regional Chamber of Commerce.

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

AGENDA ITEM #15

ADOPTION OF TWO RESOLUTIONS REGARDING THE TOWN'S CONTRIBUTIONS TO THE VIRGINIA RETIREMENT SYSTEM (VRS).

It was moved for the approval of Resolution 1 and Resolution 2 regarding the Town of Vienna's contributions to the Virginia Retirement System.

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

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

AGENDA ITEM #16

AWARD OF SOLE SOURCE CONTRACT: INOVA URGENT CARE OF VIENNA (INOVA HEALTH SYSTEMS).

It was moved for the approval of an award of a sole source contract for medical services for Town employees to INOVA Health Services, with payment of up to \$15,000 in FY 12-13.

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

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

AGENDA ITEM #17

AWARD OF A SOLE SOURCE CONTRACT WITH SIEMENS ENTERPRISE COMMUNICATIONS, INC. FOR TELEPHONE AND VOICE MAIL MAINTENANCE AND SYSTEM CHANGES.

It was moved for the approval of an award of a sole source contract for telecommunication services to Siemens Enterprise Communications, Inc., with payment of up to \$25,587.72 in FY 2012-13.

Motion: Councilmember Springsteen

Second: Mayor Seeman

Carried Unanimously –Poll vote

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

AGENDA ITEM #18

AWARD IFB 12-16 FOR LEWIS & WEST STREETS N.W. DRAINAGE IMPROVEMENTS TO ARTHUR CONSTRUCTION.

It was moved for Council approval to award IFB 12-16 to Arthur Construction for an estimated cost of \$1,311,740 from CIP account numbers 380403-48803 and it was further moved that the Mayor be authorized to accept permanent easement dedicated to the Town.

Motion: Mayor Seeman

Second: Councilmember Sienicki

Carried Unanimously –Poll vote

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

AGENDA ITEM #19

AWARD A CONTRACT TO CHAMBERLAIN CONSTRUCTION CORP. FOR IFB 12-09 TEMPORARY OFFICE TRAILER FOR TOWN HALL HVAC PROJECT.

It was moved to defer the awarding of IFB 12-09, Temporary Office Trailer to a date to be determined by staff.

Motion: Mayor Seeman

Second: Councilmember Cole

Carried Unanimously – No Poll vote

AGENDA ITEM #20

AWARD THREE CONTRACTS FOR HVAC MAINTENANCE, INSPECTION & ON-CALL SERVICES AT NORTHSIDE PROPERTY YARD, VIENNA POLICE DEPARTMENT AND VIENNA COMMUNITY CENTER, BOWMAN HOUSE, FREEMAN HOUSE.

It was moved to defer this item to the meeting of June 18, 2012.

Motion: Councilmember Cole
Second: Councilmember DiRocco
Motion withdrawn

It was moved for Council approval to award three contracts to Advanced Building Services, Inc. under IFB 12-11, IFB 12-12, and IFB 12-13 for an estimated cost of \$16,722 from the locations and account numbers listed above. Each initial contract will begin July 1, 2012 through June 30, 2013.

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

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

AGENDA ITEM #21

PURCHASE OF ONE (1) KUSTOM SIGNALS INC. MODEL VMS HT VARIABLE MESSAGE/RADAR TRAILER.

It was moved for the approval to ride the Howard County Maryland IFB-2012-42 for the purchase of a Kustom Signals Inc. Model VMS HT variable message/radar trailer for the Police Department to Kustom Signals Inc. at a total cost of \$20,661.50 from Account # 10912-48308.

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

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

Regular Council Meeting

June 4, 2012

Page 11 of 11

AGENDA ITEM #22

ADOPTION OF THE MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN UPDATE FOR THE NORTHERN VIRGINIA REGION.

It was moved for adoption of the proposed Resolution endorsing the Northern Virginia Hazard Mitigation Plan Update and authorize the Mayor to execute the necessary documents.

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

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

It was moved to adjourn the Regular Council Meeting of June 4, 2012 at 9:38 p.m.

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

Signed / Dated: _____

Howard J. Springsteen, Vice Mayor

Attest:

Melanie J. Clark, CMC
Town Clerk