



**CLIFTON TOWN COUNCIL MEETING MINUTES (DRAFT 9/6/
TUESDAY, SEPTEMBER 1, 2015, 7:30 PM
CLIFTON TOWN MEETING HALL
12641 CHAPEL ROAD
CLIFTON, VA 20124**

Town Council Present:	Mayor Bill Hollaway; Vice Mayor Dwayne Nitz; Deborah Dillard; Eric Hencken; Jennifer Heilmann; and, Wayne Nickum.	Absent:
Town Officials Present:	Town Clerk/Manager: Sandra Scales-Siwiek (arrive 8:45 p.m.) Darrell Poe, Town Hall Manager (took minutes 'til 8:45 p.m.); Treasurer: Marilyn Barton	Absent:

Summary of Motions:

1. Report of Town Clerk / Town Manager						
1.1. Review of Prior Minutes: Table	Motion:	W.Nickum	2nd:	D.Ntz	Vote:	Approved Unanimous
1.2. Statistical Report on Town Car Tag Filings. Table	Motion:	W.Nickum	2nd:	D.Dillard	Vote:	Approved Unanimous
2. Report of Treasurer.						
2.1. Financial Report -- attached						
2.2. Statistical Report on BPOL Filings						
2.3. Approve Treasurer's Report as presented	Motion:	W.Nickum	2nd:	E.Hencken	Vote:	Approved Unanimous
3. Reports of Planning Commission, Architectural Review Board and Committees:						
3.1. Planning Commission (PC) Report & Recommendations -- 4 applications considered:						
3.1.1. Fractional Parking Allocations. Town Council recognizes need to establish consistent rounding when dealing with fractional parking allocations.						
Establish consistent rounding practices when dealing with fractional parking allocations to apply "standard rounding" VS "next highest.	Motion:	W.Hollaway	2nd:	W.Nickum	Vote:	Apporved 5/4
					Nay:	E.Hencken
3.1.2. PC#1 – 7137A Main St., Belle Jar Design, LLC. PC recommends approval; Town Council Conditions: .						
1. Number of required spaces be reduced to 6 (from 7)						
2. Wheel stops be installed by the landlord to delineate parking spots w/in 120 days or use permit will be null and void						
3. Landlord to provide a revised parking plat that shows at least 11 total spaces w/in 120 days						
4. Lease be executed between both parties (executed copy provided)						

Approve recommendation of the Planning Commission with conditions enumerated above.	Motion: W.Hollaway	2nd: W.Nickum	Vote: Approved 5/5 Abstain: E.Hencken
<p>3.1.3. PC#2 – 7137A Main St., Virginia Salon, PC voted to postpone consideration since landlord had already voted in August Town Council meeting to accept rent offer of first application.</p> <p>3.1.4. PC#3 – 7150 Main St., Ice Cream Depot, PC had a number of open questions prior to developing a recommendation. The list of questions was discussed at the PC meeting and has been provided in an email to the applicant.</p> <p>3.1.5. PC#4 – 7144 Main St., Clifton Café. PC had a number of open questions that have been forwarded to the applicant.</p> <p>3.1.6. PC Membership -- Pat Layden resigns; replaced with Michelle Stein.</p>			
Appoint Michelle Stein to the unexpired term of Pat Layden.	Motion: W.Nickum	2nd: J.Heilmann	Vote: Approved Unanimous
<p>3.2. Architecture Review Board (ARB) Report - ARB considered 5 applications.</p> <p>3.2.1. Historic Clifton signs (placards) template – ARB approved.</p> <p>3.2.2. 7137 A Main St., Belle Jar Design, LLC sign – ARB approved.</p> <p>3.2.3. 12644 Chapel Rd., Clifton House Dumpster Screening & replace vinyl windows within 24 months, ARB approved. Deferred approval of signage until all signage on property comes into compliance. Town Council acted to extend timeline to resolve vinyl windows and parking plan in associated Use Permit for Cleaners.</p>			
Amend Clifton Cleaner's Use Permit to extend vinyl windows resolution deadline 24 months to Sept 1, 2017.	Motion: W.Nickum	2nd: D.Nitz	Vote: Approved Unanimous
<p>3.2.4. 7150 Main St, Peterson's Ice Cream Depot, screening for food trailer. ARB approved. (Screening only – ARB not ruling on whether this is a structure, that determination is under the jurisdiction of the Planning Commission.) ARB noted stairs lack a hand rail, need to conform to Fairfax County railing requirements.</p> <p>3.2.5. 7215 Dell Ave, Tennent Historic sign conforming to Historic sign template. ARB Approved.</p>			
3.3. Committees:			
3.3.1. Haunted Trail 2015	Motion: None	2nd:	Vote:
3.3.2. Pink House Rental – Lease executed, Tenant Takes possession 9/1/15	Motion: None	2nd:	Vote:
3.3.3. Committee on the Environment	Motion: None	2nd:	Vote:
3.3.4. Triangle Gateway	Motion: None	2nd:	Vote:
3.3.5. Parks Committee – Insurance Required	Motion: None	2nd:	Vote:
3.3.6. Clifton Arts Council	Motion: None	2nd:	Vote:
4. Communications	No Motions		
5. Citizen's Remarks	No Motions		
6. Unfinished Business			

6.1. Caboose Parking Lot Paving --	Motion: W.Nickum	2nd: W.Hollaway	Vote: Approved Unanimous Roll call
Authorize \$2750 to cutout and repair the pavement as specified in the scope of work outlined in proposal attached to quote.			
<ul style="list-style-type: none"> • Mayor Bill Hollaway: Aye • Vice Mayor Dwayne Nitz: Aye • Wayne Nickum: Aye 		<ul style="list-style-type: none"> • Deborah Dillard: Aye • Jennifer Heilmann: Aye • Eric Hencken: Aye 	
6.2. Solicit Proposals for Engineering Construction of Sidewalk on Chapel Road	Motion: None	2nd:	Vote:
7. New Business			
7.1. Schedule Issuance of Draft Council Minutes.	Motion: D.Deborah	2nd: W.Nickum	Vote: Approved Unanimous
Draft minutes should be issued not later than 10 business days after Town Council Meeting.			
7.2. Pink House Heat Pump Repair & Replacement - \$1,500.00	Motion: W.Nickum	2nd: W. Hollaway	Vote: Approved Unanimous Roll Call
<ul style="list-style-type: none"> • Mayor Bill Hollaway: Aye • Vice Mayor Dwayne Nitz: Aye • Wayne Nickum: Aye 		<ul style="list-style-type: none"> • Deborah Dillard: Aye • Jennifer Heilmann: Aye • Eric Hencken: Aye 	
7.3. Culvert on Chapel Street	Motion: None	2nd:	Vote:
7.4. Investing in CD's	Motion: E.Hencken	2nd: W.Nickum	Vote: Approved Unanimous Roll Call
Approve investment of \$250,000 in John Marshall Bank 1 yr CDs with no penalty for one early withdrawal at rates circulated (1.10%).			
<ul style="list-style-type: none"> • Mayor Bill Hollaway: Aye • Vice Mayor Dwayne Nitz: Aye • Wayne Nickum: Aye 		<ul style="list-style-type: none"> • Deborah Dillard: Aye • Jennifer Heilmann: Aye • Eric Hencken: Aye 	
7.5. CBA 47th Clifton Day –	Motion: E.Hencken	2nd: D.Nitz	Vote: Approval Unanimous
Approve use of Town Parks, close streets and hang / remove banner.			
8. Executive Session -- Personnel Matters			
8.1. Go into Executive Session to discuss Personnel Matters	Motion: W.Nickum	2nd: D.Nitz	Vote: Approve -- Unanimous
8.2. Certify discussed only Personnel Matters in Executive Session	Motion: W.Nickum	2nd: D.Nitz	Vote: Approve -- Unanimous
9. Adjournment	Motion: W.Nickum	2nd: D.Nitz	Vote: Approve -- Unanimous

Order of Business -- Details & Discussion Supporting Motions

1. Review of Outstanding June through August 2015 Minutes --Tabled

2. Report of Treasurer. (attached) Closing Date: 8/30/15 Presenter: Marilyn Barton, Treasurer

"Attached are the Financial Reports for the period ended August 30, 2015. Please note that I have prepared the Financials today to facilitate you having them before the Sept 1st meeting for review. The interest income averages \$1,000 monthly and will be posted tomorrow 8/31/15 (the amount is not yet posted on the bank website). The August 30, 2015 reports include a Summary of Cash Balances, the Profit & Loss Summary by Fund, and the Profit & Loss Detail Export Report. I have included notes on the Profit & Loss Summary report which highlight items of interest."

2.1. Financial Report.

2.1.1. Review of Notes to Financials:

NOTES:

- 1 **Car Show.** Received \$500 from the Classic Car Show for FY16 in accordance with the approved Resolution.

- 2 **Parks.** Received \$25 for Parks Rentals in July. **Clifton Arts Council.** Received \$2,039.25 in August for Drama events.

- 3 **Haunted Trail.** Efforts continue in collection of Haunted Trail IOU commitments. To date 115 IOUs have been paid. 13 remain outstanding for a total of \$370. Treasurer sent follow ups this week.

- 4 **Interest income** has not been posted as yet - This report is through August 30th - to accommodate the timing of the Town Council Meeting on Sept 1st. Interest averaging about \$1,000 monthly.

- 5 **Pink House Rental income** reflects \$900 received from Tim Hugo for August and \$2,200 received from Belle Jar Design, LLC for September 1 rental. A security deposit for \$2,200 was also received from Belle Jar Design, LLC.

- 6 **Shortfall – Delayed Sales Tax.** The primary cause of the shortfall compared to the budget is the delayed payment of Sales Tax which lags by 2 months - July & August remain outstanding.

2.2. Statistical Report on BPOL Filings, Timely Filings, Non-Filter Follow-Up BPOLs (from Notes to Financials):

BPOLs FY15. In July \$450 was received & in August \$415.50 was received bringing the total for FY15 BPOL filings to \$43,152.93, 94% of the budgeted projection. Follow up letters and phone calls were completed and three remain pending - timing is related to completion of tax reporting. Remaining amount due is estimated @ \$1,256, leaving a budget shortfall estimate of \$1,590 for FY14.

BPOLs FY14 are now completed. \$99 in additional vehicle tag fees was received in July & 132 was received in August.

2.3. Approved Treasurer's Financial and Statistical Reports as presented (See Motion Summary).

3. Reports of Planning Commission, Architectural Review Board and Committees:

3.1. Planning Commission: Kathy Kalinowski, Chair. Four applications/ one recommendation; two other requests for Town Council Action. (See Motion Summary).

- 3.1.1. Fractional Parking Allocations.** Mayor W.Hollaway recognizes need for consistent treatment of fractional parking rounding was identified and addressed with motion. Two methods – “standard rounding” where-in above .5 rounds up and below .5 rounds down vs “next highest” that is, always rounding up. D. Nitz believe Town Code language is not ambiguous but application has been inconsistent. Majority of Town Council favored “standard rounding,” except E. Hencken who favored “next highest.” (See Motion Summary)
- 3.1.2. PC#1 -- 7137A Main St., Belle Jar Design, LLC.** Discussion regarding parking allocation between both suites / buildings /tenants, particularly as related to the associated square footage. Town Council voted to approve recommendations of the PC, approving use Use Permit with specified restrictions. (See Motion Summary)
- 3.1.3. PC#2 -- 7137A Main St., Virginia Salon.** Deferred by PC, recognizing the rental unit had a pending prior offer accepted by vote of the Council at the August Town Council meeting. Applicant presented their understanding of the situation, including that the pre-approved lease offering \$2,200/ month rent was not yet executed and Virginia Salon offers \$2,600/month rent. Town Council indicated that this offer was made after the Town Council voted to accept the first offer a month earlier.
- 3.1.4. PC#3 -- 7150 Main St., Peterson’s Ice Cream Depot.** Deferred by PC pending additional information from applicant. Discussion around need for file copies of existing Use Permits, including documenting expanded parking exception from March 2014. PC has determined the new kitchen is an expanded use and requires Special Use Permit amendment application. Also, the outdoor kitchen demonstrates aspects of a structure, including installation on a concrete slab, permanently affixed stairs, with utilities installed, concludes it is a structure. It is expected the PC will recommend the Town Council send the applicant back to the ARB for review of the structure.
- 3.1.5. PC#4 -- 7144 Main St., Clifton Café.** Deferred by PC pending additional information from the applicant dating back to request in May 2015 that continues to come in.
- 3.1.6. PC Membership.** Pat Layden resigns, replaced by Michelle Stein. (See Motion Summary.)
- 3.1.7. Clifton House Paid Parking.** In the course of the ARB report it came up that Clifton House has a plan to implement paid parking. PC Chair Kathy Kalinowski noted that a Use Permit and BPOL applications are required. Also, PC Chair asked that notice be given to current Clifton House tenants because it affects the parking allocations. This proposal for paid parking also raised the question of unintended consequences including impact on residential street parking and possible need to establish residential permit parking. That in turn raised the question of who would police and enforce residential permit parking since the County is likely to defer to the Town on it. (See ARB Report.)

3.2. ARB Report: Royce Jarrendt. ARB considered 5 applications, report attached.

- 3.2.1. Historic Clifton sign template approved** – new signs, not posts are available from Clifton Betterment Association at no cost to property owner.
- 3.2.2. 7137A Main St., Belle Jar Design, LLC.** Approved signage.
- 3.2.3. 12644 Chapel Rd., Clifton House Dumpster Screening, Vinyl Window Replacement, New signage.**
- 3.2.3.1.** ARB approved planned dumpster screening for measurement and materials that includes wood screening and wood clad or wooden posts.
- 3.2.3.2.** ARB established 24 month deadline to come into compliance with replacing vinyl clad windows. Applicant states that windows would be addressed as part of overhaul of exterior of entire building. Town Council reminded applicant the windows need to be brought into ARB in advance of installation for approval.
- 3.2.3.3.** ARB deferred new signage for parking business until all signage issues at the property are addressed and come into compliance with Town Code.

<p>3.2.4. 7150 Main St., Peterson’s Ice Cream Depot wooden steps and screening for new outdoor kitchen. Screening approved; stairs deferred so applicant can research and meet Fairfax County requirements for stair handrail. ARB did not make a determination as to whether the new outdoor kitchen is a structure. If new facility is a structure it will required ARB approval. (See Planning Commission discussion above.)</p>
<p>3.3. Committees</p>
<p>3.3.1. Haunted Trail 2015. No motions. E. Hencken notes that advance request will increase to \$7,000 since last year the request was \$3,000 and expenditures were \$9,000. Also, a sign needs to be displayed at the Triangle.</p> <p>3.3.2. Pink House Rental. Lease was executed by Town on August 31, 2015 as required by Town Council vote to accept the offer at the July 2015 Town Council Meeting.</p> <p>3.3.3. Committee on the Environment. Laura Stevens McDonald presenting. Discussion about installing a teaching garden at the Railroad Siding, including plants that attract fireflies and promote sustainability with placards to explain the choices and benefits. Vendors provide discounts including Merrifield Garden Center and volunteers to do the plantings.</p> <p>3.3.4. Triangle Gateway Update. VDOT inspection results generated a punch list that is being worked. VDOT sign-off is key to getting final distribution of grant money and paying the General Contractor, who will pay subs. Some of the delay has been in obtaining specified plantings.</p> <p>3.3.5. Parks Committee – Insurance Requirements. Discussion that insurance has always been required by Town facilities rental contracts.</p> <p>3.3.6. Clifton Arts Council. Darrell Poe presenting. Arts and crafts events remits an additional \$47.</p>
<p>4. Communications. None.</p> <p>Note: Communications are information items that may be discussed but that are not actionable at this time if they are new. To be actionable, a Motion to add it to the Agenda under new business has to be made, seconded and unanimously approved.</p>
<p>5. Citizen’s Remarks – None.</p>
<p>6. Unfinished Business</p>
<p>6.1. Caboose Parking Lot Paving. Estimate revised from the \$2,500 previously approved, quote with proposal is \$2,750. There is a crater on Town property plus three pot holes on Sheldon’s property that will be billed separately. Motion approved. (See Motion Summary.) D. Nitz suggests it may be possible to add a separate task to realign and address the swale for a flat fee, anticipated to be under \$500.</p>
<p>6.2. Solicit Proposals for Engineering Construction of Sidewalk on Chapel Road. D.Nitz presents. Need feasibility study proposals using \$3,000 already in budget, for installation of new sidewalk from current sidewalks ends to Clifton House. Design will need a pipe that goes under Chapel Rd to Pendleton. VDOT was looking into it but still needs feedback from the Town on what distance into the easement the sidewalk would sit on each parcel.</p>
<p>7. New Business</p>
<p>7.1. Schedule for issuance of Draft Council Minutes. Town Council established that minutes should be distributed not later than 10 business days after the Town Council Meeting. Approved. (See Motion Summary.)</p> <p>7.2. Pink House Heat Pump Repair & Replacement. Hired contractor to do the repairs Heat pump that was installed in</p>

2012 for \$5,450 by Anderson has a short and is not working. The part is under warranty but the labor is not and Anderson will not repair the heat pump. Approved. (See Motion Summary.)

- 7.3. **Culvert on Chapel Street.** Drainage near the entrance to Children's Park off Chapel Street is an issue, water is flowing rapidly across the street during very heavy rains. The drive area has been filled with gravel to stabilize the soil but now stone is blocking the flow of water during very heavy rains. Need a culvert -- a depression not ditch. VDOT has examined this area and indicated this is not a maintenance issue and likely requires construction.
- 7.4. **Investing in CD's.** E.Hencken opens discussion of investing in CDs at John Marshall Bank where he is a customer. He has emailed the Town Council to distribute a rate sheet. Approved motion to place \$250,000 into a John Marshall Bank with single withdrawal with no penalty. (See Motion Summary.)
- 7.5. **Clifton Day 2015.** The Clifton Betterment Association (CBA) requests approval for the 47th celebration of Clifton Day the use of Town Parks, street closings and to hang / remove a banner in accordance with Town Ordinance. Approved. (See Motion Summary.)
8. **Executive Session.** The Town Council goes into an Executive Session to discuss Personnel Matters with the required motions to enter/exit session. (See Motion Summary.)

9. **Adjournment** (See Motion Summary)