



CLIFTON TOWN COUNCIL MEETING
TUESDAY, July 3, 2012, 7:30 PM
CLIFTON TOWN MEETING HALL
12641 CHAPEL ROAD
CLIFTON, VA20124

Town Council members present: Chuck Rusnak, Dwayne Nitz, William R. Hollaway, Deborah Dillard, John Powell, and Wayne Nickum

Town Officials present: Treasurer Marilyn Barton, Clerk Kathleen B. Volonsevich

The meeting was called to order by Mayor William R. Hollaway at 7:30 pm.

Order of Business:

1. Review of Minutes:

Motion: Wayne Nickum made a motion to approve the June 5th 2012 Town Council Meeting Minutes. Chuck Rusnak seconded the motion and it was unanimously approved.

Motion: Bill Hollaway made a motion to approve the Special Meeting Minutes from June 20, 2012. John Powell seconded the motion, Wayne Nickum abstained, and Deborah Dillard abstained. The motion passed.

2. Treasurer's Report:

Treasurer Marilyn Barton presented the Treasurer's Report. She stated that attached is the preliminary Financial Reports for the period ended June 30, 2012.

- The first tab of the file reports the Bank Account Balances totaling \$514,067.11 as of 6/30/12. This does not include any proceeds from the Wine Festival. It has yet to be submitted from the event.
- The next tab provides the Consolidated Profit & Loss Budget Analysis Report, segregating the Operating and Capital Improvements transactions. The Net

Operating Income for the period was \$60,798, less a Net Capital Loss for the period of (\$13,978), leaves the Overall Net Income of \$46,820 for the period ended 6/30/12.

- The last tab provides the Detailed Profit & Loss Budget Analysis Report for the period. You will note that the report includes the proceeds from the Gala Event. Before booking the expenses reported on the Gala Summary Report, I need to review the numbers with the Committee representatives. The expenses were reported as \$5374.16.
- The report is considered preliminary, pending accruals to be made in the months of July and August as the data is received.

Motion: Wayne Nickum made a motion to approve the Treasurer's Report. Bill Hollaway seconded the motion and it was unanimously approved.

3. Reports of Committees:

a. Planning Commission;

i. Potential Use Permit violations

1. The applicants, Marcus Silva and Salvatore Speziale, as applicant and Mario & Luigi, LLC, are requesting an expansion to the original use permit which was acted on at the May Planning Commission meeting for the space at 7145 Main Street. The applicants are proposing an expansion into the space on the ground floor in the slightly detached building of approximately 450 square feet, including Space A. formerly known as High End Consignment of Clifton, for the creation of a pizza take out service and small market. The applicant states that the space will not be used as an eat-in restaurant but as a commercial space. This amended use permit is recommended for approval based on the above representations and is to include the following: there will be no eat in restaurant space at the location of the pizza carryout and market; there will be no more than two employees and the hours will be the same as the restaurant: Sunday through Wednesday from 11 am to 10 pm; Thursday through Saturday from 11 am to 12 pm; two additional parking spaces will be assigned for this segment of the business from the total on the property, bringing the total number of parking spaces assigned to the owner of this business to 19 parking spaces; all other terms of the use permit approved at the Town Council meeting on June 5, 2012 are to remain in effect.

Motion: Wayne Nickum made a motion to approve the recommendation of the Planning Commission concerning the amended Use Permit. The motion was seconded, and approved.

2. In addition, the applicants, Marcus Silva and Salvatore Speziale, as applicant and Mario & Luigi, LLC, as owner, are requesting another expansion to the original use permit which was acted on at the May Planning Commission meeting for the space at 7145 Main Street. The applicant wishes to construct an addition various screening walls, structures in the area where a patio is currently located with the intention of creating a private out door seating environment, asset forth in the attached plans. The Planning

Commission recommends approval of these plans with the following qualifications: (1) the applicant must present a surveyed plat indicating that the distance from the exterior patio structure abutting the Heilmann property conforms to the setback requirements of at least 10 feet; (2) no wall or other structure may be built on that part of the property abutting Ayre Square, since the distance of the existing fence is less than 10 feet from the property line and hence that portion of the structure is non conforming pursuant to Section 9-16b2 of the Code, by reason of the failure to meet the side yard setback in that location. As a result, the only structural alterations which are allowed to the building are those that do not extend or enlarge the nonconformance. Any replacement fence approved by the ARB to that area between 7145 Main Street and Ayre Square must be six feet or less.

Motion: Wayne Nickum made a motion to approve the use permit amendment subject to the mayor receiving the Platt demonstrating that the 10 foot setback requirements are met prior to signing. Bill Hollaway seconded the motion and it was unanimously approved.

Discussion of Fence and Ayre Square:

Dwayne Nitz presented that Marcus Silva and Salvatore Speziale do not need permission from the property owner in order to redo landscaping in Ayre Square along the Buckley Store property line, such as removing large evergreens but keeping the memorial magnolia, however they should call owner to make them aware. Mr. Silva and Mr. Speziale will attend the August Town Council meeting to present their plan.

3. The revised plat of the Town Parking area by the RR siding is recommended for approval as drawn.

Lastly, it was noted that there was no Use Permit violation concerning the Dance Studio; the business never opened, despite advertising.

Motion: Bill Hollaway made a motion to approve item three of recommendations by the Planning Commission. Wayne Nickum seconded the motion and it was unanimously approved. Wayne Nickum seconded the motion and it was unanimously approved.

b. ARB;

Dwayne Nitz presented the ARB Report. The ARB met and reviewed Markus Silva and Salvatore Speziale's use permit, and approved both the wall on the west side and the fence, however, the fence is not complaint. With a few adjustments, the fence was approved. The Town Council requested that Mr. Nitz take this back to the ARB, that a 6 foot fence can only be built. Concerning discussion of signage ordinance, the ARB had a meeting on Thursday, at 7:30; a notice was posted and it was a public forum. They are working on the draft Sign Ordinance, and met on 3 occasions with business owners. The plan is that hopefully the ARB will take the information from this forum and meet later in July and present the synopsis to the Town Council in August. They would like to

address any red flags concerning signage before they go to the Planning Commission later in August.

c. Committees.

i. Appointments for Next Two Years Under New Town Council

Motion: Wayne Nickum made a motion to reappoint Town Clerk Kathleen Barton, term expiring 6.30.2014, Marilyn Barton for Treasurer for a term expiring 6.30.2014 and Town Attorney, Gifford Hampshire, term expiring 6.30.2014. Bill Hollaway seconded the motion and it was unanimously approved.

Motion: Wayne Nickum made a motion to reappoint Dwayne Nitz as Vice Mayor. Deborah Dillard seconded the motion and it was unanimously approved.

Motion: Wayne Nickum made a motion to reappoint Chuck Rusnak as the Planning Commission representative on the Town Council. Bill Hollaway seconded the motion and it was unanimously approved.

Motion: Wayne Nickum made a motion to reappoint Royce Jarrendt and Dwayne Nitz to the ARB, terms expiring 6.30.2014. Bill Hollaway seconded the motion and it was unanimously approved.

Motion: Concerning Clean Up of the Town of Clifton, Wayne Nickum made a motion to reappoint Mac Arnold for four years, term ending March 4, 2016, and Kurt Watts for 4 years, term ending March 4, 2016. Bill Hollaway seconded the motion and it was unanimously approved.

Motion: Wayne Nickum made a motion to reauthorize signatures for all the Town's bank accounts and investments: Bill Hollaway, Mayor, Wayne Nickum, and Town Treasurer, Marilyn Barton. Bill Hollaway seconded the motion and it was unanimously approved.

Motion: Wayne Nickum made a motion to appoint Mary Mills the chair of the Clifton Holmes Tour Committee. Bill Hollaway seconded the motion, and it was unanimously approved.

6. Unfinished Business

a. Clifton Town Street Banners Rules – Standard Policy

Wayne Nickum presented rules for banners that should be followed for maximum size specifications. They discussed that no banners by for profit entities will be approved by the Town Council. It was stated that only banners will only be approved for events located within the Town. (See banner rules attached).

Motion: Wayne Nickum made a motion that only banners that have been previously approved by the Town Council will be hung over Main Street. Bill Hollaway seconded the motion and it was unanimously approved.

7. New Business

a. Clifton Lions Club Labor Day Car Show

Bill Hollaway presented that it will be September 3, 2012. He further stated that the Banner needs to be authorized, and that the Lion's Club will donate \$500 for the car show and another \$500 as a donation as a sponsor for the Clifton Gala. The Town will be closed to traffic from 9 am to 3 pm, and the Lion's Club will insure that the Town is insured for the event. Dwayne Nitz raised that Flood Plain Park area may not be able to access for Labor Day Car Show Parking.

Motion: Bill Hollaway moved to approve the Car Show with the Resolution provided and the list and providing \$500 to the Town. Deborah Dillard seconded the motion and it was unanimously approved.

(See Resolution attached.)

8. Adjournment

Motion: Bill Hollaway made a motion to adjourn. Wayne Nickum seconded the motion and it was unanimously approved.