



**CLIFTON TOWN COUNCIL MEETING MINUTES
TUESDAY, FEBRUARY 5, 2013, 7:30 PM
CLIFTON TOWN MEETING HALL
12641 CHAPEL ROAD
CLIFTON, VA 20124**

Town Council Members Present: Mayor William R. Hollaway, Vice Mayor Dwayne Nitz, Chuck Rusnak, Deborah Dillard, John Powell, Wayne Nickum

Town Officials Present: Marilyn Barton, Treasurer

Mayor Bill Hollaway called the meeting to order at 7:30 p.m. He recognized the attendance of Mary Ann Cannon, Director of Community Outreach, Office of Honorable Frank R. Wolf, US House of Representatives.

Order of Business:

1. Review of the Minutes (last regular meeting and any subsequent special meetings).

Motion: Wayne Nickum made a motion to approve the Minutes for January 8, 2013. Deborah Dillard seconded the motion and it was unanimously approved.

2. Report of the Treasurer.

Treasurer Marilyn Barton presented the Treasurer's Report. A highlighted summary was provided. The cash report reflected cash balances as of January 31, 2013 of \$580,790.77. The reports included a Profit and Loss Budget Performance Summary by fund: Operating Funds as of January 31, 2013 year to date income was \$89,502, year to date expenses were \$54,045 for a net income of \$35,457. The Capital Fund as of the same period reflect year to date income of \$21,168, less year to date expenditures of \$33,626. There was a net loss of \$20,458. This loss does reflect a pending requisition submitted to VDOT for \$12,576.35 which has not yet been received or booked. The reimbursements received in December 2012 from VDOT for the Floodplain Project expenditures transacted in FY12 have been accrued to FY12. The combined results reflect a net income of \$14,999. Concerning the Profit and Loss Budget Performance, the report is the accounting system download and provides the combined detail summarized on the Summary Report. As noted, the accrual adjustments included on the notes to the P&L Summary not reflected as yet in the accounting system, pending receipt of the Town's audited Financial Statements and adjustments for FY12. Dwayne Nitz expressed that the YTD Budget accrual reflected on the report looked too high. Marilyn Barton reported that she would proof the calculations and if necessary issue a correction.

Motion: Wayne Nickum made a motion to approve the Treasurer's Report as presented, with the understanding that the Town Council will receive the revised budget reported if appropriate in response to the inquiry. Dwayne Nitz seconded the motion, and it was unanimously approved.

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

a. Planning Commission;

Chuck Rusnak presented the Planning Commission report as submitted below.

1. The Planning Commission recommended the use permit application of Steffen Tengesdal, applicant for the internet business of Storm Shield, LLC at 7144 Main Street, for approval with the following modifications and requirements: space utilized to be 200 square feet, hours of 9 AM to 6 PM Monday through Friday and 10 AM through 5 PM Saturday and Sunday, presence of only one employee at any one time, one parking space allocated based on the applicant's representation that he is the only employee, that he resides within the walking distance of the property, that no clients, visitors or other members of the public visit his business at that location.

Motion: Dwayne Nitz made a motion to approve the recommendation of the Planning Commission. John Powell seconded the motion and it was unanimously approved.

2. The Planning Commission recommended the use permit application of Erin Tengesdal and Lisa Populoh for Clifton Café at 7144 Main Street for approval, with the following modifications and requirements: expansion of the restaurant/café business must include full ABC license to be applied for, hours of business to be 7 AM to 9 PM Sunday through Saturday, a total of 30 seats with 10 of the 30 seats to be outside, a maximum of 3 employees on site at any one time, allocation of 7 parking spaces to the business, no outdoor music, and noise from the business should not have an unreasonable impact upon the nearby residences.

Wayne Nickum inquired as to whether the alteration to the building has been approved. It was reported that an application for the alteration to be approved was submitted to the ARB two months prior to the present meeting.

Motion: Wayne Nickum made a motion to approve the recommendation of the Planning Commission, under the condition that the ARB accepts the alteration of the door. It was also added that no use permit shall be issued until the condition is met. John Powell seconded the motion and it was unanimously approved.

3. The Planning Commission recommended for approval the use permit application of the Clifton Wine Shop at 7145 Main Street for approval, to include an additional space of 300 square feet in addition to the presently approved 400 square feet; also to be used for educational and training classes, hours of operation to be Monday through Sunday from 8 AM to 10 PM, with the allocation of 4 parking spaces, pending receipt of confirmation from the owner of the building that Ms. Hausler, who had been allocated two parking spaces, is no longer a tenant of the building and pending an up to date tenant list from the owner.

Motion: John Powell made a motion to accept the recommendation of the Planning Commission including the following conditions: 1, signed documentation from the owner that Mrs. Hausler is no longer a tenant of the building, 2, that the use permit be vacated for Mrs. Hausler's business and 3, a current tenant list be provided in writing from the owner. Per these conditions, Dwayne Nitz seconded the motion and it was unanimously approved.

4. The Planning Commission recommended the use permit application by Lisa A Kershes of Classic Celebrations, Inc., for the establishment of a sit down formal tea room with retail shop at 12644 Chapel Road for approval with the following modifications and requirements: it must be used to include catering and application for a beer and wine ABC license, hours to be 7AM to 9PM Sunday through Saturday, a total of 40 seats, inside and outside, with respect to outside seating; no outdoor music and the noise from the business should not have an unreasonable impact upon nearby residences, a maximum of 4 employees present at any one time, the allocation of 9 parking spaces, pending receipt of an up to date tenant list and parking information from the owner of the building.

Motion: Wayne Nickum made a motion to approve the recommendation of the Planning Commission, including the two stated conditions, with the understanding that no use permit be issued until the listed conditions are met. Dwayne Nitz seconded the motion and it was unanimously approved.

b. Architectural Review Board;

Dwayne Nitz reported that the ARB did not meet. However, Mr. Nitz and Susan Yantis plan on attending a meeting scheduled for the following Monday that is a joint meeting with the ARB, Planning Commission, the Fairfax County Fire Marshal, and the Fairfax County Plan Review. Mr. Nitz further reported that the ARB is interested in pursuing final inspections from Fairfax County for ARB Certificates of Appropriateness and he indicated that this would be raised with the County.

c. Committees:

i. Dinner Theatre Plan update

Dianne Janczewski presented on behalf of the Dinner Theatre Event, a tentative budget put together of the previous year's costs. This year's Dinner Theatre is scheduled for March 14th, 15th, and 16th, 2013. They will have the same number of seating: 80 people per night. They are considering increasing the price for tickets, but there is nothing final yet. The event will be in the usual format.

Motion: Wayne Nickum made a motion to approve the placement of the banner for the Dinner Theatre 2013 across Main Street, to be placed 3 weeks in advance to the event (which will be on March 14th, 15th, and 16th) and to be taken down 7 days after the event. The sign must be made in accordance to guidelines. Chuck Rusnak seconded the motion and it was unanimously approved.

ii. Town Gala Event Update

Mr. Hollaway reported that The Gala is scheduled for April 21st, 2013.

iii. Playground Park Log Stumps

Wayne Nickum presented that NoVec was gracious for cutting down the trees and taking away the branches.

Motion: Wayne Nickum made a motion to approve up to \$1500 to cover all of the cost of removing from the Town of Clifton the logs and stumps in the Playground Park. John Powell

seconded the motion and it was unanimously approved. It was noted that the funds were within the budget under tree trimming expense.

iv. List of Use Permits for Town Businesses

Bill Hollaway requested that the Town Clerk create a list of Use Permits for Town Businesses, including the name, address and date of permit. It should also include the date of the Town Council meeting at which it was approved. Wayne Nickum further requested that the list will be done within 90 days.

v. Traffic and Safety: Speed Indicator Sign

There was much discussion concerning the Speed Indicator Sign. Dwayne Nitz reported that the digital sign that was put up was unplugged, and there are 3 stipulations: 1, they wished to see what the public's support or lack of support of the sign would be, 2, they need to see if VDOT approves it. Currently, the state does not have any specific restrictions concerning how high to put up the sign, what kind of sign is suitable, etc., and 3, calibration issues. After in depth discussion, the Town Council decided to table the discussion to the April Town Council meeting, after Council members have had time to review and prepare for discussion.

vi. Parks Committee: Basketball Court Expansion

Wayne Nickum reported that the Parks Committee met after the 21st. They discussed and approved the RFP to go out, and are now awaiting bids. The Committee will return to the Town Council as the process continues. The Committee is also trying to get the well-head removed: there is \$2500 for this in the budget.

vii. Special Projects:

John Powell reported on behalf of the Special Projects Committee. He provided a copy of official application for Phase II funding for the Town record. He reported that the Special Projects Committee discussed the Triangle. The Town Council looked at fonts and colors previously, and they will be making a recommendation to the designers which will come back to the Town Council. It was recommended that the sign go through the ARB.

4. Communications.

There were no Communications.

5. Citizen's Remarks:

There were no citizen's remarks.

6. Unfinished Business:

a. Sign Ordinance Town Code Changes;

Wayne Nickum reported that if a sign was put up before a certain date, 1980, it is eligible to be grandfathered. This would include, for example, the Texaco sign in front of the Main Street Pub. The Town Council tabled further discussion to the March 2013 Town Council meeting.

b. Report on 1st Clifton Cookie Quest.

Deborah Dillard reported that they are working on a date for the Clifton Cookie Quest to be set sometime in April.

7. New Business:

- a. Replacement of Sign for Buckley Park;

Motion: Wayne Nickum made a motion to re-do the sign for Buckley Park, leaving it as it is with the exception of adding “AKA, ‘8 Acre Park’ and the use of vinyl appliques. Bill Hollaway seconded the motion and it was unanimously approved.

- b. Memorial Service for Bob Achor;

Bill Hollaway reported that Bob Achor passed away, and is buried at the Clifton Cemetery. He added that the cemetery has land that could be developed into plots and that if anyone is interested in reserving a plot, to let Mr. Nickum know. Mr. Hollaway also added that he sent flowers to the Memorial Service from the Town. He will be giving a receipt to the Treasurer.

- c. Part Time Town Manager/Consultant

Mr. Hollaway reported that he has been in touch with someone who recently stepped down from a Town Manager job in another town. He concluded that he will bring more information back to the Town Council when he has more information.

- d. Clifton Town Council Member Seat on Fairfax County Economic Advisory Commission;

Bill Hollaway reported that Fairfax County has a Fairfax County Economic Advisory Commission. There is an available seat for a representative from the Town of Clifton. Mr. Hollaway offered to take this seat for a while. The Town Council agreed to rotate who will attend the meetings.

- e. Band Concert in Children’s Park – June 14th;

Motion: Wayne Nickum made a motion that the Town sponsor the Band Concert on Saturday, June 15th, 2013, provided that the CBA gives the contribution of \$200, in the Children’s Park, to end by dark or 9 pm, whichever occurs first. Dwayne Nitz seconded the motion and it was unanimously approved.

- f. Wine Festival Update;

Marcus Silva proposed that the Wine Festival be held on June 22, 2013.

Motion: Wayne Nickum made a motion to reserve the Clifton Park for June 21st-23rd for the Clifton Wine Festival. John Powell seconded the motion, and it was unanimously approved.

Motion: Wayne Nickum made a motion to approve the Wine Festival banner, to be put up 3 weeks before the event and taken down no more than 7 days after the event. Dwayne Nitz seconded the motion and it was unanimously approved.

- g. Proposal to Install Portable Toilets in Children’s Park throughout Summer 2013;

The Town Council held discussion concerning the proposal to install portable toilets in the Children's Park throughout summer 2013.

Motion: Wayne Nickum made a motion that no further discussion be made on this item. Dwayne Nitz seconded the motion and it was unanimously approved.

h. Budget for Fiscal Year Ending June 30, 2014 (FYE1406).

Wayne Nickum reported that the Town Council will be reviewing the budget for Fiscal Year ending June 30, 2014 (FYE1406). He requested that the Treasurer prepare and distribute the Budget Package for input and consideration.

8. Adjournment;

Motion: Wayne Nickum made a motion to adjourn at 9:45 p.m. John Powell seconded the motion and it was unanimously approved.

The Minutes were prepared by Kathleen Barton Volonsevich, Town Clerk.

The Minutes were approved by the Town Council at its regular meeting on March 5, 2013.