Wayne H. Nickum Town Hall
12641 Chapel Road
Clifton, VA 20124

Mailing Address:
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CLIFTON TOWN COUNCIL MEETING
TUESDAY, AUGUST 5, 2025, 7:30 PM
WAYNE H. NICKUM COMMUNITY MEETING HALL
12641 CHAPEL ROAD
CLIFTON, VIRGINIA 20124

Present: Mayor Tom Peterson; Vice Mayor Regan McDonald; Councilmember Mary Hess; Councilmember Lynn Screen; Councilmember Jay Davis; Councilmember Steve Effros
Staff: Kerrie Gogoel, Town Clerk; Suzy Murphy, Town Treasurer
Absent: Laura Jane Cohen, Town Administrator

Meeting was called to order by Mayor Peterson at 7:30PM followed by the pledge of allegiance

1. Apply Policy for Remote Participation by Electronic Means for Town of Clifton (if needed).

2. Report of the Town Clerk:
   a. Approval of the Minutes (previous meetings, special meetings, and work sessions).

- **Mayor Peterson made a motion to approve the minutes from the July Town Council meeting. The motion was seconded by CM Davis and approved by poll, 6-0.**

3. Report of the Treasurer:
   See attached report.
   a. The Treasurer noted that the preaudit work that has begun for FY24 has an ETA of 6-12 weeks.
   b. The Treasurer requested approval for the requests listed on the report, as well as two additional invoices noted below:
      i. Bowman provided an additional invoice from April, invoice #490528 in the amount of $1,100.21.
      ii. Green Valley Landscaping invoice #58452 in the amount of $1,175.00.

- **CM Davis made motion to approve payments for J2 Engineers, Bowman, and Green Valley Landscaping for the listed amounts for services to the Town for project coordination, right of way acquisition, and lawncare. The motion was seconded by CM Effros and approved by roll call:**
  CM Hess: Aye
  VM McDonald: Aye

CM Screen: Aye
CM Davis: Aye
Mayor Peterson: Aye
CM Effros: Aye

4. Report of the Administrator –
   See attached report.

5. Citizens' Remarks:
   a. Kevin McNamara of the Main Street Pub.
      Mr. McNamara highlighted that while Mr. Greg Young of the Clifton Café had sent a well written explanation of concerns from the businesses perspective in advance to the Town Council, that he wanted to also highlight concerns from the Pub. He noted that when the initial Meals' Tax was implemented that there was not much push back from the businesses in general, but expressed concern that it appears that every time the Town wants to work on a new project that the response of the Council is simply to raise the taxes, and also that they are taxing the people coming in and visiting the Town. He expressed a desire for the Town to explore other options such as put out a bond or loan, explore fundraising options, or perhaps to have not handed fundraising efforts such as the Golf Tournament to the CBA. He highlighted that there are other ways of raising money other than raising taxes, particularly ones that don't require the businesses to explain to patrons why their tabs are increasing.
      CM Davis noted that he met with Mr. Young prior to the Council meeting and indicated that Mr. Young had suggested that the Council think about how it approaches providing for three groups of people when proposing a motion or initiative: the Town itself, the businesses/owners, and the visitors. Mr. Young suggested that it seems thus far that the Council focuses on the Town itself, but less so on the other groups of people and how things like the Meals' Tax would impact them. He suggested having it laid out by group in black and white so that it can be better explained and understood. CM Davis noted that he would like to better understand why it is that the businesses believe there is such a negative impact collecting these taxes when the rest of the county is doing the same thing already, and why we believe this is going to have a negative impact specifically on Clifton.
      Mr. McNamara noted that most folks are simply looking at the bottom line on their tab and seeing an increase, and that this increase is impacting people's ability and desire to go out. He requested that looking ahead as more projects come up, that the Council look at other ways to increase revenue for the Town. CM Davis inquired if Mr. McNamara is of the belief that keeping the Meals' Tax at 2% would make Clifton more attractive to people over other areas and Mr. McNamara replied that yes he does. Mayor Peterson inquired if Mr. McNamara has had to have a discussion with patrons about the tax increase and Mr. McNamara replied that yes he has had to have the conversation six times.
      CM Effros noted that the tax increase is not being proposed specifically for one

project (i.e. the Pink House), and that the Council is trying to cover the Town and its residents and businesses for things that must be paid for. He noted that this could be taken from the bank; however, it then impacts the Town reserves and interest, which is a source of income. The largest thing in question are the parking spaces and the work that the Town does for the parking spaces primarily benefits the businesses. It is CM Effros' opinion that the Council does not spend money on the residents of the Town but primarily focuses on the businesses and visitors to the Town. For example, the residents see an increase in trash in the parks and squares, which is coming from the visitors coming to visit the local businesses, not those who live in Town. It is his belief that the Town Council needs to protect financial reserves and that the Town needs financing to deal with issues as they arise and rely less on volunteerism as it has in the past.

CM Hess noted that she does not believe that the Council has done a good job from a communication perspective of what the budget is going towards and it is her hope that with the new website and with better ways of announcing things, that the Council can do a better job of communicating where money is being spent. She noted that it does appear sometimes that communication does come across that it is for one specific item, but that isn't the case. CM Davis also noted that in his previous discussion with Mr. Young that Mr. Young doesn't believe that the Town does a great job of emphasizing the work that is done for the businesses – for example, they don't necessarily see things like the Streetscape efforts as benefitting the businesses. CM Davis agreed that the Town Council needs to do a better job about communicating these benefits.

CM Hess inquired as to whether the CBA should be able to help or better communicate how they assist with some of these betterment efforts such as trash collection and improvements to the park, as they raise a lot of money and bring that money into the Town.

6. Reports of Committees:
    a. Planning Commission
        i. There were no applications this month, the group met and discussed the Town Plan as well as looked at the potential for an online use permit application.
        ii. They noted that Legal Committee and Planning Commission personnel are also coordinating regarding the Stormwater agreements and hope to have this available for next month.
        iii. CM Screen inquired as to the status of the Town Plan and timeline for this effort as well as how this relates to the website work. CM Davis noted that the online use permit application is still in its exploratory phase, and that the Town Plan would be published on the website when it is complete. Two public hearings will be required on the Plan and the group is hoping for early 2026.
    b. Architectural Review Board
        i. There were no applications for review; however, all members required to be reappointed by Council as follows for 2 year terms: Royce Jarrendt,

Chair, Phyllis Lovett, Geri Yantis, Phoebe Peterson, Jeff Stein, Dwayne Nitz

- **Mayor Peterson made a motion to reappoint all listed personnel as requested for another two year term. The motion was seconded by CM Screen and approved by poll, 6-0.**

c. Special Projects Committee (Streetscape).
See attached report
   i. Regarding item C, Chair Yantis highlighted that the project has been authorized to move forward for advertisement. The recommended advertisement is 45 days and the group continues to look to find alternate ways to continue pushing forward.

d. Legal Committee
   i. CM Effros noted that there has been much activity, but that nothing is ready for discussion or review by Council yet. As mentioned by the Planning Commission, they are coordinating regarding the Stormwater E&S agreements, and that they have spent a fair amount of time on the Pink House documents but that this will be discussed at that point in the agenda.

e. Communications Committee
See attached report

7. Unfinished Business:
   a. Town Hall Lease
      i. Mayor Peterson inquired whether the Town should sign the lease if the County is not prepared to negotiate at all, and indicated it is his opinion that the Town should not.
      ii. CM Hess inquired whether it would be an option to change the lease length to be re-signed annually.
      iii. CM Effros expressed concern at giving up the use of the building which is at such low cost ($1/year) over the potential cost of one HVAC unit. CM Screen highlighted that it is not just the HVAC unit, it is anything that could be deemed repairable and that the decision makers are the County staff. She indicated that this could get the Town into an undesirable financial situation and that the Town should be pushing for better lease terms. She noted also that if there is damage, it takes a very long time to arbitrate the issue.
      iv. CM Screen indicated that the Town should invite the County to the table again. The County seems fairly apathetic towards the issue and the Town hasn't tried anything else. She noted that the Council needs to decide as a group whether it is desirable for the Town to have the use of this building. She also noted that there appears to be energy around wanting to secure it

and that if this is the opinion of the whole group then we should be more aggressive towards signing the lease.

v. CM Hess inquired what the penalty would be on breaking the lease and CMs Screen and Davis noted that there is no lease document being reviewed at this point, so this is undefined.

vi. CM Effros expressed that it is his belief that the Town has an asset and there is no reason not to keep it, especially at the cost of $1/year and maybe the cost of an HVAC unit over 25 years. He suggested that if there is an issue talking to the County about getting a contract, then perhaps contract lawyers should get involved. CM Screen noted again that this is not at the point of a contract, still merely discussing terms. CM Davis expressed that the Town should remind the County that they have owner responsibility for something that they are meant to take care of, and that lawyers are unnecessary, simply need an assertive person to speak with the County.

b. 8 acre park fencing
See attached Administrator report.

c. Trash Collection

i. Mayor Peterson noted that Flag disposal presented a proposal that was discussed at the previous Town Council meeting and that the Council wanted to adjust the times of pickups as follows: instead of two pickups per week during the summer, the Council wanted three pickups in the summer and 1-2 per week in the off season. Flag responded that they would like to see an offer from the Town. CM Davis noted that the quote provided was fine, the group just wanted to add another collection. He suggested that the additional cost be extrapolated from the quote and added back. Mayor Peterson agreed and noted that he would speak with Flag.

d. Meals Tax

i. See above Citizen's Remarks

ii. Mayor Peterson suggested to put it on the businesses to provide suggestions for viable options to increasing the tax.

iii. CM Davis ran high level, back of the envelope numbers with the Council to discuss the comment earlier regarding taking an untenable hit to the Town financial reserves for the current and ongoing projects over the next few years. He highlighted that the Pink House renovation is estimated to take a couple of years, and the current Meals' Tax revenue is about $225,000/year, so looking at $450,000 coming in over the next two years. The Town is fronting the payment for the Streetscape project but will be repaid. It is estimated that the current Meals' Tax revenue will cover Streetscape except for $100,000. The Town has about $1.5million, so bringing out that which is not covered for Streetscape brings the Town down to $1.4million. Taking out about $200,000 for the Pink House renovation, that brings the Town down to $1.2million. At the end of everything planned over the next two years, the Town will be down to about $1.1million in reserves. CM Davis highlighted that what the discussion really comes down to is whether this value of $1.1million in reserves is considered an unacceptable amount in Town financial reserves.

iv. CM Screen agreed that this should be reviewed with the Treasurer, but did note that while the logic makes sense at a high level, the Meals' Tax money is accounted for across other projects. The Treasurer highlighted that it may be closer to $550,000 shy for Streetscape.

v. CM Hess noted that it would be a good idea to have an approach that the Town is taking to bring in income aside from the Meals' Tax. This way not only could the Council communicate where it is in the budget but also note other projects from a Town perspective that are on a wish list. She noted it is best to be proactive. CM Davis replied that this should also be put into the context of a 5-year revenue plan and lined up with already planned projects. Perhaps for example the planned $125,000 in the budget for the playground cannot be on the current project list at this point and it gets put off for 2-3 years until the Town has sufficient revenue for the effort. He suggested that the Council needs to do a better job of rack and stacking projects to identify if they can be done in such a way that taxes don't need to be raised to accomplish projects. CM Screen noted that this is why she is eager to review the Town Plan, as it is a 5-year plan and would like to see how things align. CM Davis indicated that it is his belief that if all efforts are laid out, that there may be more funds leftover than is currently thought.

vi. CM Effros provided the opposite viewpoint from CM Davis and discussed the history of Town finances. He noted that a good amount of the reserves that the Town has were created after the Town almost went bankrupt, and these were unique and one-time revenues, and that it is now the ongoing revenue that becomes the question. Regardless of the effort, he feels that the methodology suggested by CM Davis is what must be avoided. The Town Council and others felt that the playground should be fixed and aligned budget towards that effort, but now perhaps because money is tight, the first reaction is to put it off so that Town residents and visitors don't get the benefit. He highlighted that there is an opportunity here with the Meals' Tax to get ongoing and reliable revenue, outside of BPOL. He also noted that a lot of money goes into the CBA and inquired what happens with that money, as CM Hess suggested earlier. He also noted that there is an opportunity right now to increase the Meals Tax which is something that the entire County is taking on right now, and it does benefit the Town residents because the pressure is being put on primarily visitors and not residents. He noted that all studies from the County are showing that there is minimal impact on the businesses. He also highlighted that should there be the aforementioned $550,000 shortfall for Streetscape, then the Town also loses the interest on that money, which is likely more money than the revenue brought in by a small increase in the Meals' Tax. Should there be a reserve that was reliable and could be easily refilled, then that would be the time to have discussions about things that need to be fixed.

vii. CM Davis noted that his point is that it has not been qualified how much is considered a good amount to have in reserve, and for what it is being reserved. He believes that it should be clarified what the Town is saving money for and why the Town needs to sit on a specific amount of money.

viii. CM Hess agreed that more data should be collected and then the Council should come to a vote. She noted that she sees both sides of the discussion and that the Council needs a better perspective on this, and suggested involving the Finance Committee. CM Screen agreed and Mayor Peterson said that he would speak to Chair Hutto of the committee.

e. VRSA Insurance
   i. No further action required.

f. Pink House
   i. CM Effros led the discussion. He noted that all members of Council were provided with final copies of the agreement and it is what was agreed to in the last meeting. He reminded the Council that they selected Option B of Mr. Jarrendt's estimates, and summarized the financials:
      1. $587,000 estimate. He noted that with tariffs, its possible that the costs increase. Mr. Jarrendt noted that whatever the reason for an increase, it is always best to assume that something will be more expensive than anticipated.
      2. Added to Option B was the new roof, estimated to about $45,000.
      3. Puts us to $632,000.
      4. + 20% padding.
      5. Puts us to $758,000.
         a. CM Effros added $25,000 in for the extra work that is not related to option B that the Council may want to do, that could include changing the configuration of the Barker building, putting in an ADA ramp, lighting for parking lot, markings for parking, etc. That brings the total up to $783,000. This does not include that another Town Council may want to add a storage area between the two buildings.
         b. Subtract $500k because that's the donation. The Town needs to put in $283,000. CM Effros noted that he removed the aforementioned $25,000 because it's not part of this

specific agreement. This brings the total Town input down to $258,000.

6. The Town Attorney had suggested putting a ceiling on the potential liability of the Town in the contract, at $250,000. With this agreement, the Town commits to spending up to $250,000 and further commits that the Town shall finish the project. CM Effros noted that this is not saying that the Town is definitely going to spend that much money, but that this is what the Town agrees to spend up to in order to obtain the $500,000 donation.

ii. CM Screen noted that the agreement speaks to who is going to provide oversight to the project and that the Council needs to think about who that would be and what the budget is for that. She inquired whether this should be the Town Administrator. CM Effros noted that between the donor (Mr. Baber), the contractor (Mr. Jarrendt), himself, and CM Davis, there should not be an implication to this effort.

iii. CM Screen noted that there is required insurance to complete the replacement of the house and that this is another financial impact that the Town is agreeing to in this document and inquired what that would be. Mr. Jarrendt noted that the Town would carry two types of insurance: liability on the project and then builders risk insurance. CM Effros stated that the question at this point is how much of this could fall under the current VRSA agreements, but it is not estimated to cost more than a few thousand dollars.

iv. CM Screen also noted that this is dependent upon the rezoning of the building. Should the Town not be able to move forward with the zoning, then the donated funds will not transfer. She inquired what the steps are to rezone the building and who determines it. CM Effros noted that the Town Administrator is the Town's Zoning Administrator. There will need to be a motion made to tell the Planning Commission to begin the rezoning process.

v. VM McDonald inquired whether both the expenditure and rezoning go to public hearing. CM Effros noted that it is just the rezoning that goes to public hearing. VM McDonald noted that this may be the case; however, the expenditure impacts the budget which was approved with public hearing, and inquired how to rectify that. CM Davis indicated that timing-wise, it should be possible to work within the existing budget for this year and then it would impact the budget for next year and be addressed in that public hearing. **He further noted that the Town is committing to spending up to $250,000, not that the Town will spend that much, and that the budget question comes more into play when there is a formal estimate and contract incoming.** CM Screen requested that in the spirit of transparency, this be explicit in the minutes.

- **CM Effros made a motion to adopt the resolution to rezone the Pink House to low impact commercial district. The motion was seconded by CM Screen and approved by poll, 6-0.**

- **CM Effros made a motion to adopt the resolution to approve the Pink House contractual documents. The motion was seconded by CM Davis and approved by poll, 6-0.**

8. New Business:
   a. Clifton Day
      i. The CBA requested to hold Clifton Day 2025 on Sunday, October 12, and to hang the Clifton Day banner from 9/27-10/11.

- **CM Hess made a motion that the CBA can hold Clifton Day on the requested date and hang the banner on their requested dates. The motion was seconded by CM Effros and approved by poll, 6-0.**

   b. Haunted Trail
      i. CM Screen noted that the event will be held on 10/25/25, the last Saturday in October, per usual. She will chair the event again, and is currently working on confirming team leaders. The current push is to get a T-shirt design. She noted that they will be collecting designs until the end of August, and that they are looking for new roles and participants. She further noted that they would love to have an increased social media presence for this effort to keep messaging going out, and that Sydney Sawyer is looking for help.
      ii. The Town Clerk suggested talking to the folks running the Clifton Farmers Market regarding social media presence, as they have a robust following and could provide insight.
      iii. CM Effros suggested ensuring police support for the event, and CM Hess noted that this is already in the budget for the parking and traffic committee.
      iv. CM Hess also suggested sending out email blasts to help with communication and getting some of the new roles needed filled.

9. Closed Session
   The Clifton Town Council will recess its open meeting and convene a closed session to discuss legal counsel pertaining to actual or probable litigation regarding the annexation of the Clifton Elementary School site, as authorized by Code of Virginia of 1950, as amended Section 2.2-3711(A)(7)", and also to discuss employees under 2.2-3711(A)(1). The Town Council will reconvene its open meeting at the conclusion of the closed session.
   Motion to Convene Closed Session by Mayor Peterson:

- **Mayor Peterson moved that the Clifton Town Council recess its open meeting and convene a closed session to discuss legal counsel pertaining to actual or probable litigation regarding the annexation of the Clifton Elementary School site, as authorized by Code of Virginia of 1950, as amended Section 2.2-3711(A)(7)", and also to discuss employees under 2.2-3711(A)(1). CM Hess seconded the motion and approved by roll call:**
  CM Hess: Aye
  VM McDonald: Aye
  CM Screen: Aye
  CM Davis: Aye
  Mayor Peterson: Aye
  CM Effros: Aye

- **Mayor Peterson moved that the Clifton Town Council reconvene its open meeting and adjourn its closed session. He further moved that the Clifton Town Council certify that while in closed session, only the matters that were identified in the motion to convene the closed session were discussed and that no action was taken during the closed session." CM Davis seconded the motion and it was approved by roll call:**
  CM Hess: Aye
  VM McDonald: Aye
  CM Screen: Aye
  CM Davis: Aye
  Mayor Peterson: Aye
  CM Effros: Aye

10. Adjournment.

- **CM Hess made a motion to adjourn the meeting. The motion was seconded by CM Screen and approved by poll, 6-0.**