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**HERNDON TOWN COUNCIL
Work Session
Tuesday, April 19, 2022**

At a regular meeting of the Town Council of the Town of Herndon, Virginia, held in the Herndon Police Department Community Room, 397 Herndon Parkway, Herndon, Virginia, on Tuesday, April 19, at 7:00 p.m., there were present:

- Mayor Sheila A. Olem, presiding;
- Vice Mayor Cesar del Aguila;
- Councilmember Naila Alam (arrived at 7:06 p.m.);
- Councilmember Pradip Dhakal;
- Councilmember Signe Friedrichs;
- Councilmember Jasbinder Singh; and
- Councilmember Sean M. Regan.

Staff present during the meeting: William H. Ashton II, Town Manager; Lesa Yeatts, Town Attorney; Chief Maggie DeBoard, Herndon Police; Scott Robinson, Director of Public Works; Robert Tang, Director of Finance; Viki Wellershaus, Town Clerk; Page Kalapasev, Director of Information Technology; Elizabeth Gilleran, Director of Community Development; Cindy Roeder, Director of Parks and Recreation; Mike Mueller, Acting Director of Golf; Laurie Sigler, Deputy Town Attorney; Tammy Chastain, Deputy Director of Public Works; Maria Lee, Budget Manager; David Stromberg, Zoning Administrator; Dave Bracamonte, Systems Manager; and Amanda E.M. Kertz, Chief Deputy Town Clerk.

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CALL TO ORDER

1. Roll Call & Determination of Quorum

Mayor Olem called the public hearing to order at 7:00 p.m. and asked the Chief Deputy Town Clerk to call the roll for attendance. She asked each member of Council to indicate they were present. Following the roll call for attendance, Mayor Olem confirmed there was a quorum present, with Councilmember Alam having not yet arrived.

Mayor Olem reminded those participating to follow the town's Meeting Guidelines, which included: refraining from participation unless and until recognized by the chair; being respectful in comments; refraining from threatening or intimidating language; profane, vulgar, obscene, or threatening remarks were not permitted; and attacks on the character, motive, or other harmful remarks against individual members of Council, staff, or the public would not be tolerated.

ANNOUNCEMENTS

Mayor Olem announced that week was "National Volunteer Week" and she encouraged everyone to celebrate the town's dedicated volunteers.

Mayor Olem stated that the town's "Earth Day/Arbor Day" celebration would be that Saturday, April 23, at Runnymede Park. There would be a tree planting honoring the town's 33rd year in a row of being recognized as a "Tree City USA." John Dudzinsky, Community Forester, would preside. Afterwards, the Friends of Runnymede Park and ArtSpace would host a native plant sale at ArtSpace Herndon from 10:00 a.m. to 2:00 p.m. Local artists would have handmade items available for purchase.

COMMENTS & DISCLOSURES

Mayor Olem asked the Deputy Town Clerk if there were any comments or disclosures for the record. The Chief Deputy Clerk stated that comments were provided to Council and entered into the record on Public Hearing items: #2, Ordinance 22-O-06, Water and Sewer rates; #3, Ordinance 22-O-07, to amend Chapter 30 (FINANCE AND TAXATION), Massage Therapists; #4, Ordinance 22-O-08, to amend Chapter 30 (FINANCE AND TAXATION), the town's interest rates; #5, Ordinance 22-O-09, compensation for mayor and council members; #9, Ordinance 22-O-12, to amend Chapter 66, to permit seasonal outdoor seating; and the proposed FY 2023 budget items. The Clerk did not receive disclosures from Council on any item listed on the agenda that evening.

PUBLIC HEARINGS

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Mayor Olem stated there were nine public hearings listed on the agenda. She recognized the Town Attorney to outline the voting requirements for next week's public hearing on the FY 23 budget.

The Town Attorney stated that the first four public hearings on the water and sewer rates; massage therapists; town's interest rates; and compensation to the mayor and town council, would be separate public hearings, and action on the proposed ordinances would require a majority of the Town Council, which was four.

A separate public hearing would be held on the proposed ordinance to levy the taxes, and action on the proposed ordinance requires a two-thirds vote of Council, which was five. The next two public hearings would be held concurrently, with separate action the Fiscal Planning Resolution, which would require a majority of those present and voting, which was four (if all members of Council were present and voting). The Appropriation Ordinance would require a majority of the Town Council, which was four.

The Town Attorney stated that she would review the voting requirements at next week's meeting and encouraged the Council to ask her questions on the process.

Mayor Olem stated that the next seven public hearings were continued from the Council's April 12 meeting. The two General items related to the Cemetery and Golf Fees, also continued from the April 12 meeting, would be discussed after the public hearings.

2. **Ordinance 22-O-06, to amend Chapter 74 (UTILITIES), Article II (Sewers & Sewage Disposal), Division 5 (Sanitary Sewer System Rates & Charges), Section 74-262; and Article III (Water), Division 2 (Service), Section 74-326 (Schedule of Charges), to increase the service and usage charges for sanitary sewer and water, effective for meter readings taken on or after July 1, 2022**
3. **Ordinance 22-O-07, to amend Chapter 30 (FINANCE AND TAXATION), Article VII (Business, Professional, Occupational License), Section 30-211 (Definitions), and Section 30-246 (Enumeration), and to add Section 30-266 (Personal, Business Services, and all other business occupations not specifically listed) to recognize the massage therapist occupation as a business and to classify massage therapist for BPOL tax purposes**

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4. Ordinance 22-O-08, to amend Chapter 30 (FINANCE AND TAXATION), Article II (Real and Personal Property), Section 30-39 (Date real property taxes due and payable; penalties and interest) to reduce the rate of interest on any unpaid tax from ten to one percent and to change the interest rate to accrue upon failure to pay any installment when due
5. Ordinance 22-O-09, to establish the compensation to be paid to the Town of Herndon mayor and council members, as provided under Section § 15.2-1414.7 of the Code of Virginia. No increase in salary shall take effect during the incumbents' term in office
6. Ordinance 22-O-10, to Levy Taxes on Real Estate and Manufactured Homes, and Other Subjects for the Fiscal Year 2023 Budget
7. Resolution 22-G-27, to Adopt a Fiscal Planning Resolution for the Fiscal Year 2023 Budget for the Town of Herndon
8. Ordinance 22-O-11, to Appropriate Funds to implement the Fiscal Year 2023 Budget for the Town of Herndon, establishing the Pay Plan, and reserving on-going and Capital Funding for this Fiscal Year

FY 2023 Proposed Budget

[Note: These items were continued from the April 12, 2022 public hearing]

Mayor Olem recognized the Town Manager to provide additional comments. The Town Manager stated that staff did not plan to present the PowerPoint at either that night's work session or at next week's public hearing, since they had already shown it twice. He and the budget team were available to answer any questions on the material they presented at the last two meetings.

Mayor Olem stated that the record would reflect that Councilmember Alam arrived at 7:06 p.m.

Water and Sewer Rates

There was brief discussion amongst Council and staff about the proposed ordinance to increase the water and sewer rates.

In response to queries from Councilmember Dhakal, the Town Manager confirmed that no numbers had changed since the last public hearing meeting.

There was a brief question and answer session between the Town Manager, Director of Finance, and Councilmember Singh.

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In response to Councilmember Singh's concerns about the numbers that staff provided at the last work session, the Director of Finance stated he could go over the assumptions the consultants used with Councilmember Singh. The Director of Finance further explained that debt coverage included future projects and that capacity was included in the analysis. He discussed how the consultant demonstrated what the rates would look like if the town did not raise them.

In response to queries from Councilmember Singh about issuing bonds or other ways to cover expenditures, the Town Manager stated that the town's capital projects for water and sewer would be included in the CIP, which would be available for Council's review in two weeks. He stated that they could not go to the bond market now for a project that may not occur for three or four years because once a bond was issued, the money had to be used in a certain time. Since they do not know how long some of the bigger projects would take, the town might have to pay for system components that were not yet needed. Also, if the funds were used too early, the town would be at risk to not be reimbursed.

The Town Manager clarified that water revenues were not increasing, instead, he stated that high efficiency appliances were actually causing water usage to decrease. Additionally, the town's system was aging, and the town does not have the revenue coming in every year to cover the repair costs. The rate increases would help build a capital cushion to help pay for improvement projects. He emphasized that the town was not covering its operational expenses, and that would be increasingly difficult with lower rates.

Councilmember Singh provided comments about capacity purchases and how that would impact rates. He asked staff to highlight that information in the presentation.

Responding to Councilmember Singh, the Town Manager stated there were two components to capacity and treatment prices. The first aspect was purchasing the capacity from the agency, and the second was the per gallon price to treat sewer.

In response to queries from Vice Mayor del Aguila about revenues not covering operating expenses, the Town Manager stated that he did not think it had going on for five or 10 years, but it had been happening for several years. He reviewed the water and sewer model and process staff had planned to pursue prior to COVID, which included a gradual rate increase.

Mayor Olem discussed recent water and sewer network updates and the importance of maintaining the town's system. She stated that in 2010, they started budgeting for the increased demand in water and sewer that would come from Metro. She stated that starting this in 2010 was an example of why the Council could not rely on availability fees for budgeting.

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Councilmember Singh asked staff for a longer range of historical data on the water and sewer fund.

There were further brief comments from Council.

9. **Ordinance 22-O-12, to amend Chapter 66 (STREETS, SIDEWALKS AND CERTAIN OTHER PUBLIC PLACES), Sec. 66-1, and to create a new Article VI (Encroachments Over and Upon Public Rights-of-Ways), Division 1 (Generally), and Division 2 (Outdoor Seating Administrative Encroachments), to permit seasonal outdoor seating on public property**

Mayor Olem recognized the Zoning Administrator, who presented a PowerPoint dated April 19, 2022, which is on file in the Town Clerk's Office. He started by reviewing how outdoor seating on public property was accomplished during the pandemic. During that time, the state provided flexibility to restaurants and relaxed ABC and ADA requirements to help individuals safely dine outdoors.

The Zoning Administrator reviewed the proposed amendment to Chapter 66, which would allow outdoor seasonal seating by-right in the downtown in certain zoning districts, with conditions. Similar to already permitted outdoor dining, the proposed seasonal outdoor dining would have to comply with ADA, ABC, building code, state, and county laws, along with having additional restrooms if over 32 seats were added.

Outdoor seating would be allowed in certain areas on sidewalks; on-street parking spaces near the restaurant; and on off-street public shared parking spaces. He reviewed the fees, permit and insurance requirements, location of the spaces, design guidelines, and other conditions. Applicants would have to reapply for a permit each season ~ proposed to be from March 15 – October 31 ~ pay application fees (\$100 and \$10 per square foot of perimeter), hold liability insurance, and be current on all taxes.

The Zoning Administrator reviewed the off-street sites where business could apply for outdoor seating in the public parking lots. There were currently 11 unallocated spaces in the public shared parking program, so total permits in the public parking lots could not exceed 11 spaces.

The Zoning Administrator also discussed the design guidelines, which would be finalized following approval of this item. Staff recommends approval of the proposed ordinance, as presented, including the conditions that staff outlined for outdoor seating.

There was brief discussion amongst Council and staff on this item.

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There was a brief question and answer session between Councilmember Friedrichs and the Zoning Administrator.

In response to queries from Councilmember Friedrichs, the Zoning Administrator stated the proposed ordinance would cover the use of the parking spaces. The costs were proposed based on the fees other localities charged, which ranged from \$10 to \$30 per square foot. He discussed the location of the on-street parking spaces and the design guidelines, which would be enforced and referenced in the code. He stated that the Department of Public Works (DPW) would be responsible to enforce those guidelines. He indicated that capability of outdoor dining would be having a food or ABC license.

There was a brief question and answer session between the Zoning Administrator and Councilmember Singh regarding the ADA requirements, sidewalk outdoor seating, and safety requirements for on-street spaces

There was a brief question and answer session between the Zoning Administrator and Councilmember Dhakal about the costs for on-street parking spaces for outdoor seating in the proposed ordinance.

There was brief discussion amongst Council and staff about the time limits (two-hour, 20-minute, and 30-minute) for public parking spaces.

Responding to Vice Mayor del Aguila's comments on parking time limits, Mayor Olem stated that they discussed this at the Herndon Chamber meeting earlier that day. Several people mentioned that the town used to have parking limits that were all over the place. She stated that about eight years ago, the downtown businesses got together with town staff, and they worked to come up with the current time limits.

Vice Mayor del Aguila stressed better parking enforcement, stating that individuals often stay longer than the two-hour time limit on Lynn Street. He asked if some of the two-hour spaces could be reduced to 20 or 30-minute spaces to have more turnover.

In response to queries from Vice Mayor del Aguila, the Town Manager agreed with Mayor Olem's recollection of what happened several years ago. He recalled that the timing had not been revised in at least the past five years. Under the code, the Town Manager was responsible for parking, and he stated that staff could look into the parking time limits and advise Council.

Councilmember Friedrichs also recalled the parking time limits happened the way that Mayor Olem and the Town Manager remembered.

In response to queries from Vice Mayor del Aguila, the Zoning Administrator stated the ordinance would apply to the downtown public parking lots, like by

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Mile 20. He confirmed that businesses could not use an entire parking lot for outdoor seating. The Town Manager agreed about the use of the downtown parking lots, stating they were part of the public shared parking program.

There was a brief question and answer session between the Zoning Administrator, Deputy Town Attorney, Town Manager, and Councilmember Regan.

In response to queries from Councilmember Regan, The Zoning Administrator stated the on-street spaces needed to be adjacent to the business.

In response to queries from Councilmember Regan, the Deputy Town Attorney clarified that the maximum number of spaces allowed under the ordinance per business was two, with no more than 20 percent of the block total for all on-street spaces. The Town Manager confirmed the spaces available under the program in the downtown public parking lots.

Following up with Councilmember Regan, the Zoning Administrator agreed that 11 was the number of unused spaces in the public shared parking program and then he discussed some of the design guidelines and safety requirements.

Councilmember Regan expressed concerns about the design guidelines being too difficult for businesses to follow. He thought that in the code section discussing cost, they should add language referencing "lost revenue," which could be used if the town decided to instate paid parking.

In response to Councilmember Regan's comments about adding an open container zone in the downtown, the Town Manager stated staff had preliminary discussions about having one in the town, potentially on one side of Elden Street. He understood that Manassas had a similar area and he said he could talk with his counterpart there about how it.

Vice Mayor del Aguila stated he was going to suggest an open container zone in the downtown as well.

There was a brief question and answer session between the Zoning Administrator and Mayor Olem about how the cost for spaces through the public shared parking program. Mayor Olem expressed concern about how outdoor seating might not be fair to other businesses in the downtown that could not utilize it.

Responding to Mayor Olem, the Zoning Administrator reviewed the maximum parking spaces (two) and confirmed that businesses would have to comply with the town's zoning requirements.

In response to queries from Councilmember Friedrichs, the Zoning Administrator stated that businesses would have to pay the fees for on-street parking spaces annually.

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There was a brief question and answer session between the Town Manager, Town Attorney, Deputy Town Attorney, and Councilmember Regan about the outdoor seating requirements. The Town Attorney replied that staff could ask the Building Official if it was possible to waive some of the building code requirements in the first year.

Councilmember Regan expressed concern about the requirements and fees, saying that he was worried the proposed ordinance would be “crushing them in regulation and cost.”

Replying to Councilmember Regan, the Town Attorney stated that the town was easily able to permit outdoor seating before because of the executive orders during the pandemic that lifted certain requirements, including ABC and some of the building code and ADA restrictions. She pointed out the Zoning Administrator’s earlier statement that his examples in the PowerPoint were not the only way a business could meet ADA requirements.

The Zoning Administrator emphasized that the design guidelines were not yet finalized and that they could be modified.

Vice Mayor del Aguila agreed with Councilmember Regan about the guidelines burdening businesses. He discussed ADA accessibility and provided several suggestions for how businesses could meet the ADA ramp requirement for on-street spaces.

There was a brief question and answer session between the Zoning Administrator and Councilmember Singh about safety requirements. The differences between outdoor seating on public and private property were also discussed.

Councilmember Alam expressed support for outdoor seating and asked for clarification on ADA compliance for the on-street spaces.

The Zoning Administrator thought the ramp was the easiest way to meet the ADA requirements for the on-street spaces and that was why they were popular. However, there were other ways to meet the requirements.

There was a brief question and answer session between the Zoning Administrator and Councilmember Dhakal about minimum ADA requirements. The Zoning Administrator also discussed safety requirements for on-street spaces while answering Councilmember Dhakal’s questions.

Councilmember Dhakal also indicated he would support an open container zone in the downtown area.

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In response to queries from Councilmember Dhakal, the Deputy Town Attorney reiterated that the on-street spaces were limited to two in front of the establishment, and the total number of permits for right-of-way seating was limited to 20 percent of the total parking spaces on a street block.

Councilmember Friedrichs expressed support for the proposed ordinance and stressed the importance of safety. She asked the Zoning Administrator to provide different examples of the guidelines in his PowerPoint next week, showing what the town might require rather than using samples from other jurisdictions that could be confusing. She also asked staff to focus on the preliminary nature of the guidelines.

For next week's meeting, Vice Mayor del Aguila asked staff to focus on slide 11 and to not show slide 10 of the PowerPoint. He asked staff to emphasize the safety requirements. He stated, for the record, that "a lot of businesses have asked about this, they were told we weren't doing it, so that's why you haven't seen the applications." He expected more businesses to submit applications soon.

Councilmember Singh asked staff to highlight the steps they were taking to make sure diners were safe.

Mayor Olem reviewed the outdoor seating during the pandemic and brought up some of the safety concerns she had with the on-street spaces.

There were further comments from Council.

10. Resolution 22-G-30, to approve a Temporary License Agreement between the Town and Dulles Regional Chamber of Commerce d/b/a Herndon Chamber of Commerce for use of Town-owned property for portable toilets and an ice machine for Friday Night Live events

Mayor Olem recognized the Deputy Town Attorney, who presented the staff report dated April 19, 2022, which is on file in the Town Clerk's office. The Deputy Town Attorney stated that Friday Night Live agreed to a license last year to use the portable toilets and ice machine, and this proposed agreement would be similar. It would be tied to a specific time period, which was May 6 through August 26, and would give the town authority for the best placement of the items. Staff would follow-up with a formal agreement on the actual event.

There was brief discussion amongst Council and staff on this item.

In response to queries from Councilmember Friedrichs, the Deputy Town Attorney stated that the proposed agreement was similar to the one Friday Night Live signed last year for the same items.

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Responding to the discussion, the Town Manager went over the placement of the portable toilets relative to the Herndon Municipal Building, which had been a problem in the past.

GENERAL

11. **Resolution 22-G-28, to amend the Chestnut Grove Cemetery Fee Schedule; and**
12. **Resolution 22-G-29, to amend the Herndon Centennial Golf Course Fee Schedule.**

[Note: These items were continued from the April 12, 2022 public hearing]

Mayor Olem recognized the Town Manager, who asked Council if there were additional questions on these items. He and the Director of Finance had presented these items at last week's public hearing and at the last work session.

There was brief discussion amongst Council and staff on these items.

There was a brief question and answer session between the Acting Director of Golf and Councilmember Regan about the resident's discounted rate at 10 percent.

Councilmember Regan asked if the resident rate for the golf course could be decreased while the other rates were increased to make up the difference. Vice Mayor del Aguila agreed with this proposal and asked what the process would look like.

Responding to Vice Mayor del Aguila, the Town Manager stated the Council could amend the resolution at next week's meeting to change the golf course fees.

Following further discussion, the Town Manager stated that he understood what the Council was trying to do, and staff could give them a percentage to amend the resident rate at next week's meeting.

Mayor Olem stated that the golfers she spoke to were not upset about the rate increase and enjoyed the course when it was open during the pandemic.

The Acting Director of Golf reviewed some of the improvements staff was planning for the golf course.

Councilmember Singh thought that lowering the resident's discount would not matter too much to the residents and thought that the town might lose revenue.

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The Acting Director of Golf stated they have not raised the golf course rates since 2016, and the additional revenue was needed for the planned improvements. The residents he talked to have been supportive of increasing the fees.

CONSENT

13. **Resolution 22-G-31, to consider an extension of Special Exception SE #21-01, 400 Herndon Parkway, Peppertree Montessori & Preschool, to permit a private school/daycare within an existing office building.**

Councilmember Friedrichs asked why the special exception was being extended, and Mayor Olem replied that it was because the applicant needed a little more time to complete the requirements.

Councilmember Dhakal asked if the extension was for six months, which it was.

ROUNDTABLE

1. **Councilmember Alam:** Discussed complaints she had received from residents on Arkansas Avenue that those living opposite the H-Mart apartments were parking their cars on their street. She talked with the Town Manager about it, and she wanted to share that information.

Replying to Councilmember Friedrichs' questions about the location, the Town Manager stated there was nothing they could do currently as it was a public street. He informed Councilmember Alam that this street might be a candidate for a residential parking permit zone. He gave her the requirements to share with the neighborhood.

2. **Councilmember Regan:** Stated the Herndon Fortnightly Library book sale was this weekend on Friday and Saturday from 10:00 a.m. to 5:00 p.m. He and his son have been helping organize books and the event would raise money for the summer reading program at the library.
3. **Councilmember Friedrichs:** Thanked DPW staff for repairing a light at the Worchester and Herndon Parkway intersection and for repairing a water main break on Van Buren Street and Alabama Drive that past weekend.

Councilmember Friedrichs stated that VegFest would be at Northwest Federal Credit Union (NWFCU) that coming weekend from 10:00 a.m. to 5:00 p.m. She encouraged those interested to attend and stated she was looking forward to it. With her Rotary Club, Councilmember Friedrichs shared that she was participating in a food drive with LINK and a hygiene drive with FAITH, specifically supporting survivors of domestic violence. She asked those who were

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able to please donate money, canned goods, or long-lasting canned fruit and vegetables.

Councilmember Friedrichs stated she heard from several non-profit organizations that volunteer requirements with the town had become difficult. She asked the Town Manager for more information.

The Town Manager stated that he coached several youth sports activities, and each season, he had to go through a background check and a sexual predator awareness training that he and all the adult participants were required to take to protect the children. When staff looked at the town's programming over the pandemic, they found that was missing, so they engaged in a process to ensure the town was protecting the children placed in their charge.

Councilmember Friedrichs asked if all volunteers had to go through the new process, or if it was only those who were working with children. The Town Manager stated that if the volunteers were directly working for the town, they would go through a background check if they were handling money. They would have to do the additional training if they would be working with children.

Councilmember Friedrichs stated she did not have a problem with this, but she heard it was having a dampening effect on volunteers. Responding to one of the concerns, the Town Manager stated that the town pays for the training fees.

Responding to the discussion concerning who has to do the training, the Director of Parks and Recreation stated that Friday Night Live was not a town program and that Wintermakrt was a collaborative event with the town.

In response to queries from Councilmember Friedrichs about how long it was taking to get the training done, the Director of Parks and Recreation stated that there were a few volunteers that got hung up in the process, but typically it was turned around in days.

The Town Manager explained that the application was coordinated through a third-party vendor, which might be the point where the applications got held up.

Councilmember Friedrichs stated it was harder to get volunteers right now. She asked to know more about things that might slow down the town's volunteering, so that she could explain it better to citizens.

The Town Manager emphasized the importance of the background checks and the Town Attorney stated it was also an insurance liability.

4. **Councilmember Dhakal:** Shared that earlier that day, he had attended the first in-person Fairfax County Economic Advisory Commission meeting since the pandemic. They discussed work-based learning and the challenges of attracting and retaining talent in the workforce. He shared some ideas from the meeting,

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which included internships, apprenticeship training, focusing on other skill sets, and increasing the talent pool. He would share more information as it became available.

Following on Councilmember Dhakal's comments, the Town Manager stated that next year, the town was planning an apprenticeship program with Herndon High School and the town shop. This would be a potential way for some high school students to join the town's work force after graduation.

Councilmember Dhakal discussed how training and certification could help bridge the gap between those with a high school education and without a four-year college degree. The Town Manager agreed, adding that those with hard skills were also important for town employment.

Mayor Olem stated the Dulles Regional Chamber of Commerce was also working on promoting trade skills in the area.

Councilmember Dhakal asked if Council could start recognizing groups and organizations with proclamations again. He thought if it were too time consuming, maybe they could find a creative way to issue proclamations. He thought it was an important aspect of local government.

Councilmember Friedrichs stated she had been thinking about this, and she agreed that the proclamations were important. One idea she had was that the Councilmember or Mayor closest to the organization could present the proclamation and read it at an event. Then, the group could celebrate it in an environment with their peers who were excited about it. There may be community recognitions that made more sense to be presented at the Town Council level, and she asked for the Council's thoughts on this suggestion.

Councilmember Regan liked Councilmember Friedrichs' suggestion about Councilmembers presenting proclamations on behalf of the town at events.

Mayor Olem agreed, and she gave the example of presenting a proclamation at a recent Korean women's event that she attended.

Councilmember Dhakal thought these were good suggestions. He thought the Council could have a process for groups to request a proclamation. If there was an event coming up, then a member of Council could present the proclamation there, or at their request, they could receive it in the mail. If an organization really wanted to attend a Council meeting, the Council could prioritize it based on the events coming up and they could have one or two presentations per meeting. He suggested that only one person from the group make comments. He thought these changes could help streamline the process.

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Mayor Olem thought there was a process in place, and she discussed how a group had requested recognition for Sprouts through the Clerk's Office.

5. **Vice Mayor del Aguila:** Asked the Town Manager for an update on moving the Herndon Farmers' Market from Thursday to the weekend.

The Town Manager replied that he sent a detailed email to the Council outlining the limitations on moving the Herndon Farmers' Market.

Vice Mayor del Aguila stated he wanted to discuss it. He was not sure the limitations changed the concerns he heard that people could not go to it because it was during the week. He would like to rethink this, and he suggested adding the topic to the next Town Council Strategic Planning Initiatives Meeting.

The Town Manager stated it would be a good topic to discuss at the next Town Council Strategic Planning Initiatives Meeting because it would take a significant amount of staff time.

Vice Mayor del Aguila asked when the next Town Council Strategic Planning Initiatives Meeting would be, and the Town Manager stated it would be on Thursday, May 26, and that the Outlook invites were forthcoming. The Town Clerk agreed with the Town Manager and stated she would be sending the invites out soon.

Vice Mayor del Aguila asked for an update on the Herndon Equity, Diversity, and Inclusion Committee (HDEIC) interviews and appointments. The Town Clerk responded and stated the Council would discuss it with upcoming appointments on May 3.

Vice Mayor del Aguila wanted to clarify that everyone of all backgrounds was open to apply for the HDEIC. He stated that no one was excluded for any reason and indicated people advised him that they were told otherwise.

Vice Mayor del Aguila stated that parking enforcement was a big concern and he asked staff to look into it.

Vice Mayor del Aguila stated he has heard a lot about speeding in the downtown. He recently witnessed it coming back into the downtown on his bicycle on Spring Street. He asked what kind of traffic calming could be added to help discourage speeding, like speed bumps.

6. **Councilmember Singh:** Following up on Vice Mayor del Aguila's comments on speeding, Councilmember Singh stated that was an issue on almost every street in town. He was not sure if they could do anything, but he asked what could be done to address it.

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Councilmember Singh stated that recently, the Council discussed confidential information and what could be disclosed. He had spoken with friends who are attorneys, during which he said that “you may say” he disclosed information. It was his understanding that while the privilege was to the entire Council, the larger aspect to him was protecting the public interest. He believed that the “public interest is...much higher order than the privilege part.” He said there was no punishment, and that the Council was accountable to the public who elected them.

Councilmember Friedrichs asked Councilmember Singh if he was talking to her directly. Councilmember Singh responded that he was talking to all of Council.

Councilmember Singh commented that the Council answered to the public and only them, and he felt “very comfortable with somebody disclosing the information under the right circumstances.”

Councilmember Friedrichs responded that she agreed with Councilmember Singh that public interest was the most important. She said that was why they had closed sessions and confidential information. She did not think it was always the most important thing to give everyone the information right away, as it might not be in their best interest. She stated the goal in the closed session was to serve the public by keeping information private for the moment and revealing it later.

Mayor Olem stated that personnel information was always kept private.

Councilmember Singh said they could argue about that, and Mayor Olem thought that was a discussion he and Councilmember Friedrichs could have. Councilmember Singh stated they could discuss it outside this meeting. He believed that he was protecting the public in a different way.

7. **Mayor Olem:** Stated that the Northern Virginia Regional Commission (NVRC) was collecting donations for Ukraine. The donation boxes were in 30 different locations in Northern Virginia, with one of them being at NWFCU in Herndon. Yesterday she went to pick up the boxes from NWFCU and learned that there were two groups of 150 volunteers to sort the items to be airlifted to Europe to help the displaced individuals. She thanked NWFCU for serving as a collection location.

Mayor Olem stated that she had also observed speeding all over town, even in her neighborhood, and she agreed it was definitely an issue.

Councilmember Friedrichs asked if she could briefly comment on the weekend farmers’ market. She had just remembered that there was a farmers’ market every other weekend at Aslin Brewing Company in the downtown.

Vice Mayor del Aguila thought it was still a lost opportunity to bring people to the town instead of a Thursday and he still wanted to change it.

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Councilmember Friedrichs stated there was a weekly market in Reston on Saturday mornings, which could have the same vendors if one was to be held in town the same day.

Vice Mayor del Aguila stated that they should consider doing the market in a different way, maybe at different time or day. Responding, Councilmember Friedrichs did not think they should compete with the existing markets.

Vice Mayor del Aguila pointed out that those he talked to told him that they did not go to the market because it was during the week.

Mayor Olem stated the good thing about the markets that Fairfax County supported, like the Thursday one in Herndon, was that people could use food stamps.

Vice Mayor del Aguila reiterated that he would bring this topic up for discussion at the next Town Council Strategic Planning Initiatives meeting.

COMMENTS FROM THE TOWN MANAGER

No comments.

ADJOURNMENT

On motion of Councilmember Vice Mayor del Aguila, seconded by Councilmember Dhakal, and carried by unanimous roll call vote, the meeting of the April 19, 2022 work session was adjourned at 9:24 p.m. The vote was: Councilmembers Alam, Dhakal, Friedrichs, Regan, Singh, Vice Mayor del Aguila, and Mayor Olem voting "Aye."


Sheila A. Olem, Mayor


Amanda E.M. Kertz
Chief Deputy Town Clerk



Minutes approved by Town Council: July 12, 2022.

**April 19, 2022
(work session)**

NOTE:

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