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**HERNDON TOWN COUNCIL
Work Session
Tuesday, June 4, 2019**

At a regular meeting of the Town Council of the Town of Herndon, Virginia, held in the Herndon Council Chambers Building, at 765 Lynn Street, Herndon, Virginia, on Tuesday, June 4, 2019, at 7:00 p.m., there were present:

- Mayor Lisa C. Merkel, presiding;
 - Vice Mayor Sheila A. Olem;
 - Councilmember Cesar del Aguila;
 - Councilmember Pradip Dhakal;
 - Councilmember Signe Friedrichs; and
 - Councilmember Bill McKenna.
-
- Councilmember Jennifer K. Baker was absent.

CLOSED MEETING

On motion of Councilmember del Aguila, seconded by Councilmember Friedrichs, and carried by a 6-0 vote, the Herndon Town Council went into Closed Meeting at 6:00 p.m., under Section 2.2-3711(A)(1) of the Code of Virginia, pertaining to discussion of specific public employee relative to annual performance review.

Vote: Councilmembers del Aguila, Dhakal, Friedrichs, McKenna, Vice Mayor Olem and Mayor Merkel voting "Aye." Councilmember Baker was absent.

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On motion of Councilmember McKenna, seconded by Councilmember Friedrichs, and carried by a 6-0 vote, the Herndon Town Council reconvened in public session at 7:01 p.m.

Vote: Councilmembers del Aguila, Dhakal, Friedrichs, McKenna, Vice Mayor Olem and Mayor Merkel voting "Aye." Councilmember Baker was absent.

On motion of Vice Mayor Olem, seconded by Councilmember del Aguila, and carried by a 6-0 vote, the Herndon Town Council approved the following Certification of Closed Meeting.

Vote: Councilmembers del Aguila, Dhakal, Friedrichs, McKenna, Vice Mayor Olem and Mayor Merkel voting "Aye." Councilmember Baker was absent.

Certification of Closed Meeting

WHEREAS, the Town Council of the Town of Herndon has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by this Town Council that such Closed Meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Herndon hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the Closed Meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the Closed Meeting were heard, discussed, or considered by the Town Council.

VOTE:

Ayes – 6

Nays – 0

ABSENT DURING VOTE: 1

ABSENT DURING MEETING: 1

**June 4, 2019
(work session)**

RECESS

At 7:01 p.m., Mayor Merkel called a brief recess; and at 7:05 p.m., the meeting reconvened in Herndon Council Chambers Building, all members present, with the exception of Councilmember Baker, who was absent, and with Mayor Merkel presiding.

WORK SESSION

Staff present during the meeting: William H. Ashton II, Town Manager; Lesa Yeatts, Town Attorney; Elizabeth Gilleran, Director of Community Development; Cindy Roeder, Director of Parks & Recreation; Tammy Chastain and John Irish, Deputy Directors of Public Works; Senior Police Officer Adil Aftab, Herndon Police; and Amina Ait-Bella, Legislative Assistant.

ANNOUNCEMENTS

Mayor Merkel stated that earlier that evening, the Council had met in a closed meeting. No action was taken following the closed meeting.

Mayor Merkel stated that Councilmember Baker was in Normandy with the Herndon High School Band and would be absent from tonight's meeting.

PRESENTATIONS

2. **Proclamation, to recognize "Lesbian, Gay, Bisexual & Transgender (LGBTQ+) Pride Month," June 2019; and**
3. **Proclamation, to recognize the 40th Anniversary of the Herndon Centennial Golf Course, June 30, 2019.**

The presentations are scheduled for the June 11, 2019 public hearing.

Mayor Merkel stated that there were no public hearings scheduled for next week's meeting. As the Town Manager had advised Council earlier, there were two items that were on track to be on this month's agenda, but for various reasons, they did not make it on the agenda. She had inquired about possibly postponing tonight's meeting and moving the items on the agenda to the July public hearing, but the presentations had been scheduled. She expected a big crowd next week for at least one of the presentations.

CONSENT AGENDA

4. **Proclamation, to recognize the 25th Season of Friday Night Live!**

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Mayor Merkel stated that this proclamation would be presented at the June 28 Friday Night Live! concert.

In response to Councilmember Friedrichs, Mayor Merkel stated that the Herndon Transit Oriented Core (HTOC) Guidelines were continued to the July 9th public hearing.

ROUNDTABLE

1. **Councilmember Dhakal:** Offered kudos to Cindy Roeder, Director of Parks and Recreation, and staff, for an excellent Herndon Festival this past weekend. He stated that he liked the new space better this year. He stated that hopefully more would attend next year, as this was the first year for the new location.
2. **Councilmember McKenna:** Echoed Councilmember Dhakal's comments about the Herndon Festival. He stated that he had been looking at the set-up from a logistical point of view. He knew five people that were against moving the location, and they all changed their mind after being at the Festival.
3. **Councilmember Friedrichs:** Echoed her colleagues' comments about the Herndon Festival. She was surprised at how well it went at the new location. She stated there were some serious issues with the non-profit booths and there were some wrinkles that would be ironed out over time. She discussed her experience at the Festival.

Councilmember Friedrichs stated that it was time to start talking about the arts center and how it would be managed.

In response to Councilmember Friedrichs, the Town Manager cautioned the Council to stay focused on the closing, then talk about the arts center. He stated that Comstock and the town still had a lot to discuss. He stated that the arts center was not going to be built until the last phase of the project, so the Council has time to plan for the arts center and its operation.

Mayor Merkel stated that once the town was at closing, the arts center would be a priority.

In response to queries from Councilmember Friedrichs, the Town Manager stated Comstock was working to finalize the cost of the project and the town was working on a tri-party agreement for lending. There were a series of building permitting issues that had to be dealt with, as well. The tri-party agreement had to be finished before Council would take its next step. He was waiting on more information from Comstock and the town was working on other areas, including leases for the parking area and ArtSpace.

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Councilmember Friedrichs asked if the arts center was discussed two years ago, why was it too soon to discuss it now.

The Town Manager replied that he had made a mistake in holding the discussion two years ago when it had been too early to focus on it.

Councilmember Friedrichs stated that she had heard from some individuals at Comstock who wanted to talk about the arts center.

The Town Manager stated that Comstock's CEO and the engineering and legal departments had thought that it was too soon to discuss the arts center two years ago. He stated that it was a distraction from the overall project.

Councilmember Friedrichs expressed concern over waiting too long to discuss the arts center. She wanted to make sure the Council has enough time to carefully think things through.

The Town Manager stated that he could not say when the appropriate time would be to discuss the operations of the arts center, but he would try not to wait until budgets were being discussed. He stated that the Council was welcome to have the conversation, but he emphasized that the closing was critical.

Councilmember Friedrichs stated that she would talk about it later.

4. **Councilmember del Aguila:** Stated that he thought it would benefit Council to have an executive level briefing about the arts center in closed session. He stated that individuals ask him about the arts center all the time, and it was hard to tell them that he did not know, or that he did not know what to say to them. It would help him to have an outline of what was appropriate to communicate to the public. He requested a closed session for an executive level briefing on the arts center.

The Town Attorney stated that the exemption of the sale of the property would be an appropriate exemption for a closed meeting under the Code of Virginia. If there was something not covered by that exemption that Council wanted to discuss with the Town Manager, they could meet with him in groups of two.

Mayor Merkel summarized that Council wanted to meet in a closed session, under the exemption mentioned by the Town Attorney. They would consider two-on-two meetings if they had more they needed to discuss.

Councilmember del Aguila echoed his colleagues' comments about the Herndon Festival, which he stated was a success. He was glad to see a lot of Latino families and stated that it was a draw for many outside of the town. He provided some suggestions that he received, including that the Festival could be "greener."

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5. **Vice Mayor Olem:** Echoed her colleagues' comments about the Herndon Festival.

Vice Mayor Olem stated that she received thank you notes from the Navy JROTC event that she and Councilmember Dhakal attended.

Vice Mayor Olem thanked everyone involved with the Memorial Day Observance and appreciated those that attended.

Vice Mayor Olem asked for an update on water that was turned off by mistake.

The Town Manager stated the town received a work order that said to turn off the water, and staff turned the water off. However, the work order had a start date of June 4. He stated that the staff member who made the mistake was very apologetic.

Vice Mayor Olem discussed the visit from her mom, Gracie.

Vice Mayor Olem further discussed the Herndon Festival and stated that the traffic going through town was better this year with the new location. She stated that the downtown businesses she talked to were happy with the change.

6. **Mayor Merkel:** Echoed her colleagues' comments about the Herndon Festival. She stated that change is hard, but it was the people who make the Festival what it is. The only thing that was missed by many people was not being able to have fireworks in the new location. She asked if staff would be interested in considering a fireworks show during the Friday Night Live! of Memorial Day weekend. She stated it could signal the start of summer, and the Memorial Day Observance and the Festival could be highlighted. She had talked with Friday Night Live! to see if it was feasible.

Councilmember Friedrichs suggested having fireworks during the Festival, at the golf course, at a specific time.

The Director of Parks and Recreation stated that staff had discussed doing what Councilmember Friedrichs suggested, and it would split staff resources of the Parks and Recreation, Public Works, and Police Departments. That was not realistic with the number of staff members that the town has.

Councilmember McKenna agreed with Mayor Merkel's suggestion about fireworks on the Friday of Memorial Day weekend.

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COMMENTS FROM THE TOWN MANAGER

The Town Manager provided comments on the Herndon Festival. He was amazed at how well staff handled taking 38 years of experience at one location and moving to a new one. The CEO of Northwest Federal Credit Union was impressed by staff and their management of the Festival. He offered kudos to staff for their efforts.

Councilmember del Aguila asked if there would be a "lessons learned" discussion following the Festival.

The Director of Parks and Recreation stated that staff holds this kind of discussion every year.

Councilmember Dhakal stated that it would be appropriate for Council to send a thank you note or appreciation to Northwest Federal Credit Union, for allowing the use of their property during the Festival.

The Town Manager stated that he would relay that request.

Mayor Merkel stated that the Council could issue a proclamation to them. She would like to see if they could come to a Council meeting to be recognized. If they could not make that happen, she could send a letter.

Councilmember Friedrichs stated that Council should send a letter regardless, and Mayor Merkel agreed.

CLOSED MEETING

On motion of Vice Mayor Olem, seconded by Councilmember Dhakal, and carried by a 6-0 vote, the Herndon Town Council went into Closed Meeting at 7:31 p.m., under Section 2.2-3711(A)(1) of the Code of Virginia, pertaining to discussion of specific public employee relative to annual performance review.

Vote: Councilmembers del Aguila, Dhakal, Friedrichs, McKenna, Vice Mayor Olem and Mayor Merkel voting "Aye." Councilmember Baker was absent.

RECESS

At 7:31 p.m., Mayor Merkel called a brief recess, and at 7:34 p.m., the closed meeting reconvened in Herndon Council Chambers Building, all members present, with the exception of Councilmember Baker, who was absent, and with Mayor Merkel presiding.

**June 4, 2019
(work session)**

CLOSED MEETING (CONTINUED)

On motion of Councilmember Friedrichs, seconded by Councilmember McKenna, and carried by a 6-0 vote, the Herndon Town Council reconvened in public session at 8:07 p.m.

Vote: Councilmembers del Aguila, Dhakal, Friedrichs, McKenna, Vice Mayor Olem and Mayor Merkel voting "Aye." Councilmember Baker was absent.

On motion of Vice Mayor Olem, seconded by Councilmember Friedrichs, and carried by a 6-0 vote, the Herndon Town Council approved the following Certification of Closed Meeting.

Vote: Councilmembers del Aguila, Dhakal, Friedrichs, McKenna, Vice Mayor Olem and Mayor Merkel voting "Aye." Councilmember Baker was absent.

Certification of Closed Meeting

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VOTE:

Ayes – 6

Nays – 0

ABSENT DURING VOTE: 1

ABSENT DURING MEETING: 1

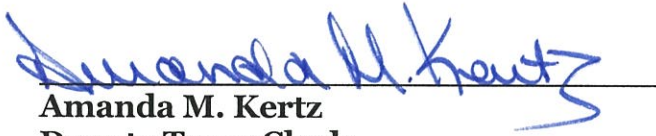
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ADJOURNMENT

There being no further business, the meeting adjourned at 8:09 p.m.



Lisa C. Merkel Mayor



Amanda M. Kertz
Deputy Town Clerk



Minutes approved by Town Council: June 11, 2019.

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NOTE:

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