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**HERNDON TOWN COUNCIL
Work Session Meeting Minutes
Tuesday, January 17, 2023**

The Town Council held a work session meeting on Tuesday, January 17, 2023, at 7:00 p.m. in the Herndon Police Department (HPD) Community Room, 397 Herndon Parkway, Herndon. In attendance were: Mayor Sheila Olem, Vice Mayor Clark Hedrick, and Councilmembers Naila Alam, Cesar del Aguila, Pradip Dhakal, Keven LeBlanc, and Donielle M. Scherff.

Staff present during the meeting: William H. Ashton II, Town Manager; Lesa Yeatts, Town Attorney; Chief Maggie DeBoard, Herndon Police; Kirstyn Barr Jovanovich, Town Clerk; Lisa Gilleran, Director of Community Development; Page Kalapasev, Director of Information Technology; Marjorie Sloane, Director of Finance; Scott Robinson, Director of Public Works; Anne Curtis, Chief Communications Officer; Cindy Roeder, Director of Parks and Recreation; Tammy Chastain, Deputy Director of Public Works; Michael Mueller, Golf Course General Manager; Dennis Holste, Economic Development Manager; Maria Lee, Budget Manager; Dave Bracamonte, Systems Manager; and Margie Tacci, Deputy Town Clerk.

1. CALL TO ORDER

Mayor Olem called the work session to order at 7:00 p.m. and determined there was a quorum, with all members present. Mayor Olem reminded Council of the meeting decorum.

Mayor Announcements

Mayor Olem reminded Town Council to submit their annual Statement of Economic Interests forms to the Town Clerk by February 1, 2023.

Amend the Agenda

Councilmember Scherff moved to to add a discussion item to the agenda titled “Clear Communication Standards to include process” and that the agenda would be so amended. Motion seconded by Councilmember Dhakal.

Councilmember Scherff stated that the intent of this item is to establish standards of communication for the Council as a self-governing body, and as part of a broader communication discussion. She stated that the goal of this discussion would be to 1) define clear process guidelines for adding items to the agenda, and 2) establish clear communication between Council and with staff.

There was discussion amongst Council about communication between the body and staff and the agenda setting process.

Councilmember del Aguila stated, for the record, that any Councilmember can move that a topic be added to the agenda, so long as it is seconded.

Vice Mayor Hedrick asked if there is text to review with this item, and Councilmember Scherff said there is not a text, as the item will be a discussion.

Responding to Council's discussion, Lesa Yeatts, Town Attorney, stated that setting the agenda is not part of parliamentary procedure and the process starts outside of the meeting. She referenced page 17 of the Town Council Orientation Handbook, which includes information on the agenda development. She suggested those looking to add items to the agenda contact the Town Manager's. She noted that occasionally, items are added to the agenda at the last minute, but the best practice is to notice, advertise, and distribute in advance of the meeting as part of the agenda distribution process.

Responding to the discussion, William H. Ashton II, Town Manager, reviewed the process that was followed to respond to Ms. Scherff's request to include an item on the published agenda.

Responding to Mayor Olem's request for clarification, Councilmember Scherff stated the goal of the discussion was to come up with some process guidelines to establish a communication standard for Council and to resolve conflict among the group.

Following discussion and with the concurrence of Council, Mayor Olem stated that the agenda would be amended to add item 3(b) under Discussion, titled "Clear Communication Standards to Include Process."

2. GENERAL

a. Resolution to provide Town Council Guidance on the development of the Town Manager's proposed FY 2024 Budget

William H. Ashton II, Town Manager, provided an overview of the budget development process and presented the draft Resolution that will provide Town Council Guidance on the proposed FY 2024 budget.

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

January 17, 2023 Meeting Minutes
Town Council Work Session

Councilmember LeBlanc conveyed that one of his top priorities was preparing for a potential economic downturn. Mr. Ashton stated that staff will use lessons learned from the pandemic to appropriately handle a fiscal decline.

Councilmember Dhakal asked to incorporate long-term planning for rate increases to close the revenue and expenditure gap in the water and sewer fund, along with more projected costs in the Capital Improvement Program (CIP). Mr. Ashton stated that staff is working on both items.

Councilmember del Aguila echoed Councilmember Dhakal's comments on prioritizing water and sewer and CIP fund planning. He suggested revising the resolution to include the word "try" when referring to keeping the revenue rates at their current levels, under "Now Therefore Be It Resolved" section, to allow greater flexibility.

Vice Mayor Hedrick thought that the Town should go into the budget process assuming that current rates will not be increased. Councilmember del Aguila clarified he was not suggesting increasing the rates, and Mr. Ashton explained that this resolution serves as guidance and is not binding.

Mayor Olem asked that staff provide Council information on the impacts of increasing and decreasing the real estate tax rate by one cent, including what the average cost to the resident would be, during the budget process. Mr. Ashton stated staff will provide the penny per percentage point of the real estate tax rate at the first work session in March.

Mr. Ashton advised Council that a bill has been introduced at the General Assembly that will change how banks are taxed. If this is adopted, it could be an approximate \$400,000 to \$500,000 revenue impact to the Town.

b. Resolution to approve a Temporary License Agreement to use a designated public space in the alley adjacent to Jimmy's Old Town Tavern for outdoor seating for an event

Lesla Yeatts, Town Attorney, presented the staff report dated January 17, 2023, which is on file in the Town Clerk's office. The applicant, Jimmy's Old Town Tavern, is requesting to use public space in the alley located between 689 and 681 Spring Street for outdoor seating during an event on February 12, 2023. The applicant has been approved for a Temporary Use Permit by the Zoning Administrator. Staff recommends approval of the proposed temporary license agreement, as presented.

Following brief discussion and with the concurrence of Council, staff was directed to place this item on the Consent agenda on the next meeting agenda, as presented.

3. DISCUSSION

a. Organizational Orientation Discussion by the Town Manager and the Department of Public Works, Parks & Recreation/Cemetery and Communications & Economic Development

Mr. Ashton stated that this is the first of several planned work sessions where staff will provide an overview of departmental functions and responsibilities. He stated that tonight's department orientation presentations are: the Department of Public Works, Parks and Recreation and Cemetery, and Communications and Economic Development.

Organizational Orientation – Department of Public Works (DPW)

Scott Robinson, Director of Public Works, presented a PowerPoint dated January 17, 2023, which is on file in the Town Clerk's office. He discussed the department's mission and responsibilities, staffing structure, initiatives and accomplishments, and challenges. Mr. Robinson highlighted the major upcoming CIP projects for Town facilities and throughout the Town.

There was brief discussion between Council and staff, which included conversations about services, staffing levels, planning for emergencies, and upcoming projects.

Responding to Councilmember del Aguila about ongoing needs for the department, Mr. Robinson stated that he wanted to make Council aware about the upcoming major maintenance projects needed for Town facilities, along with necessary water and sewer infrastructure improvements.

Organizational Orientation – Parks & Recreation/Cemetery

Cindy Roeder, Director of Parks and Recreation, presented a PowerPoint dated January 17, 2023, which is on file in the Town Clerk's office. She discussed the department's mission, structure, responsibilities, initiatives, accomplishments, and challenges. Ms. Roeder also provided an overview of Chestnut Grove Cemetery, which included their responsibilities, accomplishments, upcoming challenges, and initiatives.

There was brief discussion between Council and staff, which included conversations about the parks and recreation facilities, activities, and revenue recovery for the Herndon Community Center (HCC).

Councilmember Scherff stated that several citizens had told her there was a lack of activities for teens and young adults. Ms. Roeder indicated that is an area where the department could improve, and she asked Councilmember Scherff to share any information she had on the topic with her.

January 17, 2023 Meeting Minutes
Town Council Work Session

Councilmember Dhakal suggested looking at other health club business models to increase HCC's revenue and help offset operating costs. Ms. Roeder stated that staff has gone through that exercise several times in the past, but it is difficult to compare HCC to other fitness facilities. She stated that HCC does not have as many amenities as other larger fitness centers in the region.

Mr. Ashton stated that the Town is trying to balance ensuring access with finding the right fee structure for the HCC gym. He cautioned the Council in applying a pure business model to HCC, and Ms. Roeder said that the price structure is comparable to other fitness centers in the region. Councilmember Dhakal suggested looking at options to increase patronage to the community center and fitness area.

Councilmember del Aguila requested staff to schedule a separate work session discussion item to talk about opportunities to increase patronage and revenue at HCC. Mr. Ashton stated that he would schedule that discussion for a meeting in the next several months.

Organizational Orientation – Communications & Economic Development

Anne Curtis, Chief Communications Officer, presented a PowerPoint dated January 17, 2023, which is on file in the Town Clerk's office. She discussed the department's structure, purpose, upcoming projects, and future initiatives and challenges. Mr. Curtis stated that she is the Town's Freedom of Information Act (FOIA) officer and outlined the FOIA process and what it entails.

There was brief discussion between Council and staff about the Town's website and social media representation, the upcoming 2023 community survey, and the best ways to communicate with citizens.

Councilmember LeBlanc asked staff to schedule a more in-depth discussion of economic development at a future Town Council meeting.

Responding to Councilmember Scherff, Ms. Curtis asked her to send any broken links found on the website over email and staff will fix them. She explained that her staff conducts a website audit every few months to make sure all the links work and they would be doing that soon. She advised that the 2023 community survey will be available in English and Spanish.

Councilmember Scherff discussed feedback she has received on the Town's website and social media pages. She recommended that staff reference the recent Associated Press (AP) recommendation on these platforms for guidance. She stated that she would like to talk with Ms. Curtis about the Town's online presence further, and Ms. Curtis stated she looked forward to talking with her.

Responding to Councilmember Scherff, Ms. Curtis stated that while the Town is restricted on social media as a governmental agency, she saw room for opportunity.

Councilmember del Aguila said that a brand refresh is an important component of economic development. He requested that the topics of economic development and rebranding be included in the upcoming Council retreat.

Responding to Vice Mayor Hedrick, Lisa Gilleran, Community Development Director, stated that in the past, staff sent information about historic homes to residences in the Town's historic district. Staff would like to do this again soon. Vice Mayor Hedrick encouraged staff to send out this information.

Responding to Councilmember Dhakal, Ms. Curtis stated she did not have the information at that time, but she could find how many people subscribe to the Town's e-newsletter and On the Go application.

b. Clear Communication Standards to Include Process

Mayor Olem recognized Councilmember Scherff to begin the discussion item.

Councilmember Scherff confirmed with Ms. Yeatts that the process for a Councilmember to add an item to the agenda prior to it being published was on page 17 of the Town Council's Orientation handbook. Ms. Yeatts stated that she or the Town Manager are the Council's points of contact.

Councilmember Scherff wanted the Council to discuss establishing clear process guidelines and standards of communication. As a self-governing body, she said that the Council must agree on and regulate their conduct. She thought that one of the things that discourages citizen engagement is conflict between Councilmembers that goes unresolved.

Councilmember Scherff stated that the communications standards should include: 1) civil, effective communication, 2) willingness to find the answer if it is not known, 3) listening to one another, 4) taking a brief recess if debate is too spirited, 5) putting established or implied processes in writing, 6) staff answering questions in a timely manner and providing contact information to Council, and 7) reserving opinion when appropriate.

Councilmember Scherff said that she had spoken with Mr. Ashton about the standards she is proposing. She indicated that he is starting to work on several items.

There was brief discussion amongst the Council about establishing standards for effective communication, how to enforce those standards, and how to convey information efficiently.

Councilmember Dhakal asked to add a standard that says, "it's okay to say it's (a process) always been done this way, but if there is a better way, let's find out." He referenced the Virginia Municipal League's (VML) civility pledge and handed copies to members.

January 17, 2023 Meeting Minutes
Town Council Work Session

Vice Mayor Hedrick asked that staff include the VML handout with the agenda materials for the work session meeting, and Kirstyn Barr Jovanovich, Town Clerk, indicated that she will save it as part of the record.

In response to Councilmember LeBlanc's request, Councilmember Scherff stated that she will send her notes on this item to Ms. Jovanovich for her to distribute to the Council. (Note: Councilmember Scherff sent this document to the Town Clerk, who distributed it to Council and filed it for the record.)

Mayor Olem asked for a written report or similar materials when an item is added to the agenda.

Following discussion, Councilmember Scherff stated that along with sending out her notes, she will write up an action list of what the Council talked about that evening. After that, the Council could decide if they wanted to move the matter forward.

4. ROUNDTABLE

Councilmember Scherff: No comments.

Councilmember del Aguila: No comments.

Councilmember Dhakal: No comments.

Councilmember Alam: Asked for written materials on agenda items before the meeting.

Councilmember LeBlanc: No comments.

Vice Mayor Hedrick: No comments.

Mayor Olem: Echoed Councilmember Alam's comments on receiving written agenda material in advance.

William H. Ashton II, Town Manager: No comments.

5. CLOSED MEETING

Mayor Olem stated that the Council had a need to go into a closed meeting and that the appropriate meeting notices were provided in accordance with state law. The Closed Meeting was held in the Herndon Police Department Community Room, 397 Herndon Parkway, Herndon, Virginia.

Vice Mayor Hedrick moved that the Council convene in closed session to discuss the following as permitted by Virginia Code Section 2.2-3711 (A)(3), to consider the disposition of publicly held real estate in the downtown where discussion in an open

January 17, 2023 Meeting Minutes
Town Council Work Session

meeting would adversely affect the bargaining position or negotiation strategy of the public body. Councilmember Dhakal seconded the motion and carried by unanimous roll call vote. The vote was: Councilmembers Alam, del Aguila, Dhakal, LeBlanc, Scherff, and Vice Mayor Hedrick and Mayor Olem voting "Aye."

The Council went into closed meeting at 10:56 p.m.

At 10:56 p.m. Mayor Olem called a brief recess, and at 11:06 p.m., the closed meeting reconvened in the Herndon Police Department Community Room, all members present, and with Mayor Olem presiding.

Councilmember Dhakal moved to come out of the closed meeting. Motion seconded by Councilmember Alam and carried by unanimous roll call vote. The vote was: Councilmembers Alam, del Aguila, Dhakal, LeBlanc, Scherff, and Vice Mayor Hedrick and Mayor Olem voting "Aye."

The Council came out of closed meeting at 12:24 a.m. on January 18, 2023.

Vice Mayor Hedrick moved to certify that, to the best of each member's knowledge, in the closed meeting just concluded, nothing was discussed except the matter or matters (1) specifically identified in the motion to convene in closed meeting and (2) lawfully permitted to be discussed in a closed meeting under the provisions of the Virginia Freedom of Information Act as cited in that motion. Motion seconded by Councilmember LeBlanc and carried by unanimous roll call vote. The vote was: Councilmembers Alam, del Aguila, Dhakal, LeBlanc, Scherff, and Vice Mayor Hedrick and Mayor Olem voting "Aye."

Ayes: 7
Nays: 0

6. ADJOURNMENT

There being no further business, Mayor Olem adjourned the January 17, 2023 Town Council work session at 12:26 a.m. on January 18, 2023.

Amanda E. Monan Kertz

Amanda E.M. Kertz
Chief Deputy Town Clerk



Minutes approved by Town Council: February 14, 2023