



**HERNDON TOWN COUNCIL
Meeting Minutes
Tuesday, May 23, 2023**

The Town Council met in regular session on Tuesday, May 23, 2023, at 7:00 p.m. in the Herndon Council Chambers Building, 765 Lynn Street, Herndon, Virginia. 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; Cindy Roeder, Director of Parks and Recreation; Marjorie Sloan, Director of Finance; Page Kalapasev, Director of Information Technology; Scott Robinson, Director of Public Works; David Stromberg, Zoning Administrator; John Verdin, Capital Projects Manager; Dave Bracamonte, Systems Manager; and Margie Tacci, Deputy Town Clerk.

1. CALL TO ORDER

Mayor Olem called the May 23, 2023, Town Council meeting to order at 7:00 p.m.

2. PLEDGE OF ALLEGIANCE

Mayor Olem led the to the Pledge of Allegiance to the Flag of the United States of America.

Determination of a Quorum

Mayor Olem determined there was a quorum, with all members present.

Mayor Announcements

Mayor Olem stated there had been a minor change in the wording to Consent Agenda item 6(b) Resolution 23-G-41. Since the Town Council's work session, staff deleted paragraph four, which outlines funding for the project. As the Virginia Department of Transportation (VDOT) administers the East Spring Street project, VDOT will be tracking the costs and accepting the grant funds rather than the Town, if the application is approved.

Mayor Olem reminded those in attendance that Town offices are closed on Monday, May 29, 2023, for Memorial Day. She stated that the American Legion Post 184 will host a Ceremony to commemorate Memorial Day at 10:00 a.m. at Chestnut Grove Cemetery. More information is available on the Town's website.

Mayor Olem encouraged everyone to attend the Public Engagement Session on the Transit-Related Growth (TRG) Area on Wednesday, May 24, 2023, from 7:00 to 9:00

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p.m. in the Council Chambers. She stated that the event will be livestreamed and posted on the Town's website.

Mayor Olem stated that the Herndon Festival is back this year, from Thursday, June 1 to Sunday, June 4, 2023, at the Northwest Federal Credit Union campus on Herndon Parkway. Admission to the Festival is free. More information is available at herndonfestival.net.

Mayor Olem announced that the 2024 Town Calendar competition has started. The deadline to submit a photo to Arts Herndon for next year's calendar is 5:00 p.m. on Friday, June 9, 2023. She encouraged those interested to send their submission via email to info@artsherndon.org.

Mayor Olem reminded those participating in tonight's meeting to follow the Town's meeting guidelines that are displayed in the Council Chambers.

3. PRESENTATIONS/REPORTS/COMMENTS

a. Town Manager Report

William H. Ashton II, Town Manager, stated that staff met with Comstock last Friday, and they are working on site plan and building permits revisions, along with bidding strategies for the rebid process.

Mr. Ashton stated that in reviewing the VDOT project occurring at Sunset Business Park, staff noticed that removing the cul-de-sac at the entrance and flattening the roundabout to allow trucks through the intersection is part of the project's first phase. VDOT is planning to trim back the first island going into the Business Park, but Mr. Ashton said that the Town plans to submit a change order to remove the island completely. Crosswalks and other improvements are also included in the first phase, which should be complete by the end of the summer.

b. Councilmember Comments

Councilmember del Aguila: no comments.

Councilmember Dhakal: stated that he enjoyed the production of "In the Heights" at NextStop Theatre. He said that it shows community, culture, and the American dream.

Councilmember Dhakal shared that he met with Sam Collins, Vice President, and Jeff Bentley, CEO of Northwest Federal Credit Union about their work in the community.

Councilmember Dhakal stated that last Wednesday, he met with Gurudev Sri Sri Ravi Shankar, Founder of the Art of Living, about the World Culture Festival on the National Mall in Washington, DC from September 29 to October 1, 2023.

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Councilmember Dhakal stated that he enjoyed participating in the first Northern Virginia Tea Festival. He offered kudos to the Elden Street Tea Shop and its owner Rachel Rozner.

Councilmember Scherff: echoed Councilmember Dhakal's comments on the Northern Virginia Tea Festival, stating that 750 tickets were sold. She emphasized the importance of supporting local businesses, like the Elden Street Tea Shop.

Councilmember Scherff stated that it was Public Works Week and she offered kudos to Public Works staff and Director Scott Robinson.

Councilmember Scherff welcomed the interns from Herndon and McLean High Schools who were learning about local government.

Councilmember Alam: stated that she enjoyed attending an Asian American Pacific Islander Heritage Month event with several other local government officials.

Councilmember Alam stated that she planned to submit several initiatives and she looked forward to discussing options with her colleagues on Electric Vehicles, DMV, Greens, and Scams.

Councilmember LeBlanc: gave kudos to Mike Mueller, Golf Course General Manager, and the Herndon Centennial Golf Course, which is Audubon certified.

Councilmember LeBlanc stated that he and Mayor Olem recently attended a presentation with the first cohort of entrepreneurs at the George Mason Enterprise Center. He was excited to see many people who are starting businesses in Herndon. He encouraged those interested to reach out to the Mason Enterprise Center at Office Evolution.

Councilmember LeBlanc stated that during Small Business Appreciation Month, he was pleased to visit a new boba tea shop on Elden Street with Mayor Olem and Economic Development Manager Dennis Holste. He encouraged everyone to visit the new tea shop.

Vice Mayor Hedrick: stated that he is looking forward to attending the Herndon High School Spring Band Concert and celebrating the band's 75th Anniversary on May 25, 2023. He encouraged everyone to attend the concert.

Mayor Olem: stated that she was sorry to miss the Herndon High School Band Concert as she will be attending the Northern Virginia Regional Commission meeting, where she represents the Town and serves as the Vice President.

Mayor Olem stated that on May 17, 2023, she visited the Reston Lions Club meeting at Amphora Diner, where she spoke about volunteerism in the Herndon Area.

Mayor Olem stated that on May 20, 2023, she attended and provided remarks at the second annual "Stars and Stripes" event, which honors active-duty military, veterans, first responders, retirees, and their families.

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Mayor Olem enjoyed attending Friday Night Live this month and stated that there is no Friday Night Live on Friday, June 2, 2023 because of the Herndon Festival. She also enjoyed the performance of “In the Heights” at NextStop Theatre, which she saw twice. She encouraged the community to attend these events.

Mayor Olem stated that she recently helped award scholarships to students seeking careers in wastewater and related fields from the Federal Water Quality Association. The scholarships recognize local high school seniors who plan to pursue environmental fields.

Comments and Disclosures for the Record

Mayor Olem asked Margie Tacci, Deputy Town Clerk, if she received comments for the record or transactional disclosure declarations from Council. Ms. Tacci stated that comments were provided to the Town Council and entered into the record public hearing item on the FY 2025 to FY 2029 portion of the CIP. The Clerk did not receive additional comments or disclosures from Councilmembers on any other items listed on the agenda that evening.

4. COMMENTS FROM THE AUDIENCE

Mayor Olem reviewed the process and asked those who wanted to provide Comments from the Audience to come forward.

The following individuals expressed concern about the sidewalk in front of their businesses on Monroe Street, and asked the Town to fix the conditions:

- Katie McDonald, 681 Monroe Street, Sacred Roller Skate Supply; and
- Hossein Khoddami, 691 Monroe Street, American Carpet and Rug.

Mayor Olem stated that she spoke to the Town Manager on this matter and that staff is working on a response to address their concerns.

5. PUBLIC HEARINGS

a. Resolution 23-G-38 to adopt the FY 2025 through FY 2029 portion of the FY 2024 - FY 2029 Town of Herndon Capital Improvement Program

Certificates of Publication were filed from the Editor of the *Fairfax County Times Newspapers*, showing that notice of said public hearing items had been duly advertised in the Friday, April 21, April 28, 2023 issues.

[Note: This item was continued from the May 9, 2023 public hearings.]

Mayor Olem resumed the public hearing and stated that the public hearing on this item was continued from the Town Council’s May 9, 2023 meeting.

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Mayor Olem recognized John Verdin, Capital Projects Manager, for the staff report. Mr. Verdin presented the staff report and PowerPoint dated May 23, 2023. The FY 2024 portion of the Capital Improvement Program (CIP) was included in the budget adopted at the public hearing on May 9, 2023. The CIP is a financial planning document that establishes a six-year schedule for public improvements. It is a companion policy document to the Town's 2030 Comprehensive Plan and Operating Budget. The proposed CIP and the attached Resolution represent the Town Manager's recommendation for Town Council consideration.

Mr. Verdin reviewed the 51 proposed CIP projects and their funding sources, which contains 40 General Government and 11 Enterprise Fund projects - including water and sewer projects. Most of these projects are continued from the adopted FY 2023 - FY 2028 CIP, but there are three new projects: (1) Herndon Community Center Life Cycle Projects, (2) Spring Street ADA Sidewalk Improvements, and (3) Locust Street ADA Sidewalk Improvements.

Mr. Verdin stated that a large portion of the projects are funded by sources other than the Town, such as the American Rescue Plan Act (ARPA) and other federal and state grants. He stated that the next CIP cycle will include analyzing costs, priority, status, project life expectancy, and developing a schedule moving forward. Staff and the Planning Commission recommend approval of the proposed resolution, as presented, adopting the FY 2025 to FY 2029 CIP.

There was brief discussion among Council and staff on the proposed CIP projects and their funding sources.

Responding Councilmember del Aguila, who asked staff to address the sidewalk conditions the business owners mentioned during Comments from the Audience, Scott Robinson, Director of Public Works, stated that if the sidewalk is not ADA compliant and will require a design, which staff can get started in FY 2024 and follow from that point.

Mayor Olem called for comments from the audience. Seeing none, Mayor Olem closed the public hearing and moved to Council level for discussion and action.

Councilmember LeBlanc moved to approve Resolution 23-G-38 to adopt the FY 2025 through FY 2029 portion of the FY 2024 - FY 2029 Town of Herndon Capital Improvement Program, as presented. Motion seconded by Vice Mayor Hedrick.

The question was called on the motion, which carried by unanimous roll call vote. The vote was: Councilmembers Alam, del Aguila, Dhakal, LeBlanc, and Scherff, Vice Mayor Hedrick and Mayor Olem voting "Aye."

- b. Resolution 23-G-39 to consider amending the condition regarding trash collection for Special Exception Application SE #20-01, to permit a drive-through service accessory to an eating establishment in a CS, Commercial Services, zoning district**

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Certificates of Publication were filed from the Editor of the *Fairfax County Times Newspapers*, showing that notice of said public hearing items had been duly advertised in the Friday, May 5, and May 12, 2023 issues.

Mayor Olem opened the public hearing and recognized David Stromberg, Zoning Administrator, for the staff report. Mr. Stromberg presented the staff report and PowerPoint dated May 23, 2023. He reviewed the zoning history, approved conditions, and the special exception request. The previously approved special exception permits Pollo Campero (Applicant) to construct and operate a drive-thru lane at 1131 Elden Street.

The Applicant advised staff that waste removal companies would not agree to the restricted trash collection hours that are listed in the special exception. Therefore, they requested to amend the trash collection condition to include the hours of 11:00 a.m. to 1:00 p.m., and 5:00 p.m. to 7:00 p.m. Mr. Stromberg stated that staff and the Planning Commission recommend amending the conditions of SE #20-01 that the Applicant requested.

There was discussion among Council and staff on the hours listed for trash pick-up in the special exception.

Mayor Olem asked if the Applicant or Applicant's agent would like to address Council on this item.

Kelly Posusney, Land Use Planner with Walsh Colucci Lubeley and Walsh, Applicant's agent, provided comments on the application and the trash collection. She stated that the trash dumpster was moved toward the back of the property in the current site plan. That change should help address concerns about traffic queuing during trash pick-up.

Mayor Olem called for comments from the audience. Seeing none, Mayor Olem closed the public hearing and moved to Council level for discussion and action.

Vice Mayor Hedrick moved to approve Resolution 23-G-39 to consider amending the condition regarding trash collection for Special Exception Application SE #20-01, to permit a drive-through service accessory to an eating establishment in a CS, Commercial Services, zoning district, as presented. Motion seconded by Councilmember Dhakal.

There were brief comments from Council.

The question was called on the motion, which carried by unanimous roll call vote. The vote was: Councilmembers Alam, del Aguila, Dhakal, LeBlanc, and Scherff, Vice Mayor Hedrick and Mayor Olem voting "Aye."

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6. CONSENT

- a. Resolution 23-G-40 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 during two events**
- b. Resolution 23-G-41 of support for the FY2024 Congressionally Directed Spending funding request for East Spring Street project (UPC 105521)**
- c. April 25, 2023 Town Council Meeting Minutes**

Mayor Olem reminded the Council that item 6(b) on the Consent Agenda had a minor revision regarding the project's funding by VDOT.

On motion of Councilmember Alam, seconded by Councilmember Scherff, the Consent Agenda items were approved and carried by unanimous roll call vote, without comment. The vote was: Councilmembers Alam, del Aguila, Dhakal, LeBlanc, Scherff, and Vice Mayor Hedrick and Mayor Olem voting "Aye."

7. ADJOURNMENT

There being no further business, Mayor Olem adjourned the May 23, 2023 Town Council Regular Meeting at 7:44 p.m.

Amanda E. Monaw Kertz

Amanda E.M. Kertz
Chief Deputy Town Clerk



Minutes approved by Town Council: June 13, 2023

[Note: Approved resolutions and ordinances are on file in the Town Clerk's office.]