



**HERNDON TOWN COUNCIL
Regular Meeting Minutes
Tuesday, January 23, 2024**

1. Call to Order

Mayor Olem called the January 23, 2024, Town Council regular meeting to order 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 Department; Lisa Gilleran, Director of Community Development; Marjorie Sloan, Director of Finance; Bob Williams, Director of Parks and Recreation; Scott Robinson, Director of Public Works; David Stromberg, Zoning Administrator; Maria Lee, Budget Manager; Randy Schell, Chief Program and Project Manager, Ben Schitter, Development Program Manager; Dave Bracamonte, Systems Manager; Amanda Kertz, Chief Deputy Town Clerk; and Margie Tacci, Deputy Town Clerk.

2. Pledge of Allegiance to the Flag of the United States of America

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

Amend the Agenda

Councilmember LeBlanc moved to remove Resolution 24-G-09 to approve a revision to the approved Master Plan, for the Chestnut Grove Cemetery, an element within the Comprehensive Plan of the Town of Herndon, from the Consent Agenda, and add it to the General section as item 6(b) on the meeting agenda. Motion seconded by Councilmember Dhakal.

Lesa Yeatts, Town Attorney, opined that no motion is needed to remove an item from the Consent Agenda. Therefore, the item was removed, and the agenda was amended.

Determination of a Quorum

Mayor Olem determined there was a quorum, with all members present. Mayor Olem reminded the Council and public of the meeting decorum.

Mayor Announcements

Mayor Olem stated that on Tuesday, January 30, 2024, from noon to 2:00 p.m. at the George Mason Enterprise Center, Herndon is hosting an event to learn about small business franchising. She encouraged those interested to contact the Town Clerk or her for more information.

Mayor Olem stated that since next Tuesday is the fifth Tuesday of the month there is no Town Council meeting next week. The next Town Council meeting is a work session on Tuesday, February 6, 2024.

3. Presentations/Reports/Comments

a. Town Manager Report

William H. Ashton II, Town Manager, stated that the intersection of Station and Pine Street is closed outside of Zeffirelli's restaurant due to a broken sewer lateral. He stated that staff hoped the work in the road would be finished that evening.

Mr. Ashton introduced Bob Williams, the Town's new Director of Parks and Recreation. He briefly reviewed his record of public service and encouraged everyone to welcome him to the Town.

Mayor Olem welcomed Mr. Williams as the Town's third Parks and Recreation Director.

b. Councilmember Comments

Councilmember Dhakal: stated that the Council is working to bring back the attendance policy item for the Council's consideration at a work session in February. He stated that he is also reviewing the Town versus State Code regulations on remote attendance at meetings. While the State Code allows up to two or 25 percent of meetings, whichever is higher, to be attended remotely, the Town Code provides for the lesser of two or 25 percent of meetings. He hopes to bring some changes forward that will allow more flexibility for virtual participation.

Councilmember del Aguila: wished those present a Happy New Year. He congratulated Councilmember Alam on being featured in an article in last month's Virginia City and Town Magazine, which is published by the Virginia Municipal League (VML).

January 23, 2024 Regular Meeting Minutes
Town Council Meeting

Councilmember del Aguila thanked the majority of Council for supporting the Town Council Initiatives Meetings, which he said is something he brought forward and thinks is important. As part of the initiatives, he would like to consider more ways to bring in revenue to the Town, such as a pickleball tournament and Saturday mini-festivals.

Councilmember Scherff: stated that this past week, she introduced the Town Manager to the Old Town Fairfax Business Association Executive Director, who she thought is carrying out unique projects in the City of Fairfax.

Councilmember Alam: stated that she enjoyed attending the recent VML Newly-Elected Officials Conference where she met and exchanged ideas with other local representatives from around the Commonwealth. She shared with them that she wants to bring more Electric Vehicle (EV) charging stations to the Town.

Councilmember Alam thanked the Department of Public Works staff for their hard work treating the roads in the cold weather.

Councilmember LeBlanc: stated that he was honored to serve another year on the Committee for Dulles board.

Councilmember LeBlanc provided comments about legislation before the General Assembly. He stated that Senator Boysko recently sponsored a bill that passed the Senate of Virginia providing more opportunity for posting public notices online versus in the printed newspaper, which could help save the Town money. He hopes that this bill will pass in the House of Delegates. He stated that the Town also asked Senator Boysko and Delegate Shin to support legislation allowing traffic cameras for localities.

Councilmember LeBlanc provided comments on the arts organizations Arts Herndon and NextStop Theatre. He stated that NextStop Theatre received a record number of award nominations for their 2023 season. He congratulated the group and stressed the importance of the arts in representing all groups in the community.

Vice Mayor Hedrick: expressed concern about human trafficking, stating that the Fairfax County Board of Supervisors is recognizing National Human Trafficking Month. He provided personal comments on the issue, stating that he wanted to bring awareness to the topic. Following his comments, he asked for a brief moment of silence to remember the victims of human trafficking.

Vice Mayor Hedrick provided comments on the threats he saw to democracy both in the United States and around the world. He observed that faith and trust in governmental institutions are quite low in this country. He thought that, as a local body, the Council should look at ways to foster trust among the community. He

indicated that this is why he raised the attendance issue, which he views as a challenge to the body. He provided his thoughts on how missing meetings undermines the body's integrity and the trust the community has placed in the Council. A few weeks ago, the Council voted to table an amendment he made on this topic, but conversations on it have continued. He thought that attendance is a high priority matter that he hopes can be addressed at an upcoming meeting.

Mayor Olem: stated that on Thursday, January 11, 2024, the Herndon Police Department held a promotional ceremony, where one Lieutenant, two Sergeants, three Corporals, and one Records Supervisor were promoted. She offered congratulations to those that were promoted.

Mayor Olem shared that she is attending the upcoming VML Legislative Day with several Council colleagues, and she emphasized the importance of dialogue with the state legislature. One of the matters before the General Assembly that the Town is supporting is traffic cameras for localities, and she encouraged those interested to send an email supporting the legislation.

Mayor Olem thanked the Town Attorney for resending the Town's policy on remote attendance and the Councilmember Handbook to Council.

Comments and Disclosures for the Record

Mayor Olem asked Margie Tacci, Deputy Town Clerk, if she received comments for the record or signed disclosure declarations from Council.

Ms. Tacci stated that comments were entered into the record on Public Hearing item 5(a), Resolution 24-G-06 to approve special exception SE #23-01, Herndon Elementary School Renovation and Addition; and Consent Agenda Item, which has now been moved to the General portion of the agenda, 6(b), Resolution 24-G-09 to approve a revision to the approved master plan, for the Chestnut Grove Cemetery.

Ms. Tacci stated that Councilmember Dhakal entered a Signed Transactional Disclosure Declaration into the record on Public Hearing Item 5(a), Resolution 24-G-06 to approve Special Exception SE #23-01, Herndon Elementary School Renovation and Addition, indicating that he is able to participate in the discussion and action on the item fairly, objectively, and in the public interest. The signed disclosure statement has been entered into the record with the Town Clerk and Town Attorney.

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 provided comments:

- Francine Kemp, 1554 Dranesville Road Herndon, on Resolution 24-G-09, revision to the Chestnut Grove Cemetery Master Plan. She expressed concern about drainage at the site, tree removal, and setbacks. She stated that her house is located next to the cemetery in Fairfax County.
- Barbara Glakas, 935 Barton Oaks Place, Herndon, followed up on comments she provided to the Council in November on the Stars and Stripes NOVA Committee, where she questioned a potential Town donation to that organization.
- Michelle Garrison, 1328 Grant Street, Herndon, on Resolution 24-G-09, revision to the Chestnut Grove Cemetery Master Plan. She submitted photographs for the record and expressed concern about drainage at the cemetery.
- Andrew Scotto, 1332 Grant Street, Herndon, on Resolution 24-G-09, revision to the Chestnut Grove Cemetery Master Plan, expressing concerns about the buffer zone, tree removal, animal habitats, construction, and stormwater management.
- Glen Godden, 1330 Grant Street, Herndon, on Resolution 24-G-09, revision to the Chestnut Grove Cemetery Master Plan, expressing concerns about the buffer zone, tree removal/landscaping, setback, and construction.
- Ann Goden, 1330 Grant Street, Herndon, on Resolution 24-G-09, revision to the Chestnut Grove Cemetery Master Plan, expressing concerns with the buffer zone, drainage, and tree removal. She asked the Council to research and provide more information on the plan before acting on it.

5. Public Hearings

b. Resolution 24-G-07 to approve an amendment to Special Exception SE #21-03, 1315 and 1317 Monroe Street, to allow the placement of fill in order to construct two new single-family dwellings on two existing lots within the Floodplain Overlay District

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, January 12, and January 19, 2024, issues.

Mayor Olem opened the public hearing and recognized David Stromberg, Zoning Administrator, who presented the staff report. He reviewed the background on the property located at 1315 and 1317 Monroe Street and discussed the requested

amendments to the Special Exception, which was originally approved in 2022. He stated that all applications in the floodplain are required to undergo and submit a flood study, which did not show any increased capacity for the Follylick Branch Stream. Staff and the Planning Commission recommend approval of the proposed resolution, which includes the proposed conditions listed in the staff report and resolution.

There was brief discussion among Council and staff on this item, including: (1) monitoring the site for special exception violations, and (2) stormwater management.

Mayor Olem asked if the applicant or applicant's agent would like to address the Council on this item and the applicant did not have any comments.

Mayor Olem called for comments from the audience. Seeing no comments, Mayor Olem closed the public hearing and moved to Council level for discussion and action.

Councilmember LeBlanc moved to approve Resolution 24-G-07 to approve an amendment to Special Exception SE #21-03, 1315 and 1317 Monroe Street, to allow the placement of fill in order to construct two new single-family dwellings on two existing lots within the Floodplain Overlay District, as presented.

Motion seconded by Councilmember Alam.

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."

6. General

a. Resolution 24-G-08 to provide Town Council Guidance on the development of the Town Manager's Proposed FY 2025 Budget

Marjorie Sloan, Director of Finance, presented the staff report for the proposed resolution to provide the Town Manager with Town Council guidance during the development of the Town Manager's proposed FY 2025 Budget. This item was first discussed at the January 2, 2024, Town Council work session, along with a mid-year budget update.

Ms. Sloan reviewed the proposed budget guidance resolution which incorporates the following: (1) continue efforts to develop and maintain a strong fiscal position, (2) develop a revenue plan to meet the various challenges associated with maintaining current levels of service, (3) continue to adequately invest in the

Town's capital assets, (4) address problems with recruiting and retaining employees, (5) continued focus on strategic planning, which includes a fiscal plan that aligns with the Strategic Plan, (6) develop a plan for adverse changes to the economic climate, and (7) balanced Enterprise Funds that limit the use of retained earnings. Staff recommends approval of the proposed resolution, as presented.

There was discussion among Council and staff about the estimated real estate tax assessments that are expected from Fairfax County soon.

Councilmember del Aguila moved to approve Resolution 24-G-08 to provide Town Council Guidance on the development of the Town Manager's Proposed FY 2025 Budget, 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."

b. Resolution 24-G-09 to approve a revision to the approved Master Plan, for the Chestnut Grove Cemetery, an element within the Comprehensive Plan of the Town of Herndon

[Note: earlier in the meeting, this item was moved from the Consent agenda to the General portion of the agenda.]

Randy Schell, Chief Program Project Manager, presented the staff report and provided background on the proposed revision to the Chestnut Grove Cemetery Master Plan. The proposed changes aim to address recent changes in the market, changes that have occurred with burial customs, and to adapt to decreasing space in the cemetery. If this item is approved, staff will submit the site plan for approval next, which will lay out the infrastructure changes. Staff recommends approval of the proposed resolution, as presented.

There was discussion among Council and staff on the proposed revisions to the plan, including: (1) site plan process, (2) communication and community outreach, (3) trees, vegetation, setback, and buffer zone, (4) updates to stormwater management and environmental regulations as part of the master plan, and how that relates to the Town's MS4 permit process, and (5) incorporating residents' feedback and communicating the plan's status as it moves forward.

Responding to Councilmember Dhakal, William H. Ashton II, Town Manager, stated that staff plans to post an FAQ section on the Town's website that will outline the Cemetery Master Plan process. He emphasized that the proposed

changes tie into updating the Town's stormwater management plans and maintaining the Town's MS4 permit. He encouraged citizens to send in comments to the Town through the channel that is easiest for them.

Councilmember del Aguila stated, for the record, that he is not comfortable supporting the item at this time. He expressed concern over communication with residents and asked that the Council delay this to allow time to distribute the FAQs and gather feedback from the residents who are affected.

Responding to Councilmember del Aguila, Mr. Ashton indicated that he owns the process for communicating with residents about the project.

Councilmember Scherff asked that staff incorporate the residents' feedback and communicate what is going on with the process as it continues.

Responding to Mayor Olem, Scott Robinson, Director of Public Works discussed the major changes to stormwater requirements that have occurred since the master plan was originally adopted. He stated that the plan will have to comply with the Town, State, and Chesapeake Bay regulations, which should provide improvements for the neighbors who have experienced flooding adjacent to the cemetery.

Councilmember LeBlanc moved to approve Resolution 24-G-09 to approve a revision to the approved Master Plan, for the Chestnut Grove Cemetery, an element within the Comprehensive Plan of the Town of Herndon, as presented.

Motion seconded by Councilmember Alam.

There were brief comments from Council.

Vice Mayor Hedrick asked that staff reach out to those that live adjacent to the cemetery, which includes properties inside and outside the Town's border, during the project. He asked that the concerns they raise be considered and addressed as much as possible.

The question was called on the motion, which carried by a 6-1 roll call vote. The vote was: Councilmembers Alam, Dhakal, LeBlanc, Scherff, Vice Mayor Hedrick and Mayor Olem voting "Aye." Councilmember del Aguila voting "No."

7. Consent

- a. Resolution 24-G-10 to repeal Resolution 23-G-52 and to endorse and authorize a substitute funding amount on VDOT FY2027 and FY2028 Revenue Sharing Program funding application towards the VDOT-administered 'East Elden Street Widening and Improvements (UPC 50100)'**

- b. **Ordinance 24-O-02 to amend the Herndon Town Code, Chapter 2 (ADMINISTRATION), Article I (In General), Section 2.1 to clarify the rescheduling of meetings**
- c. **Ordinance 24-O-03 to approve and authorize the mayor to sign a lease agreement between the Town and Board of Supervisors of Fairfax County, Virginia, for office space at 397 Herndon Parkway**
- d. **Resolution 24-G-11 to appoint a member to the Herndon Youth Advisory Committee**
- e. **Resolution 24-G-12 to appoint the Town of Herndon's elected official representative to the Northern Virginia Transportation Authority's Planning Coordination Advisory Committee (NVTAC)**
- f. **December 5, 2023 Town Council Work Session Minutes**
- g. **December 12, 2023 Town Council Regular Meeting Minutes**

On motion of Councilmember Dhakal, seconded by Councilmember del Aguila, the Consent Agenda items were approved and 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."

8. **Adjournment**

There being no further business, Mayor Olem adjourned the January 23, 2024, Town Council Regular Meeting at 9:25 p.m.

Amanda E. Monaw Kertz

Amanda E.M. Kertz
Chief Deputy Town Clerk



Minutes approved by Town Council: March 12, 2024

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