

**CLIFTON TOWN COUNCIL MEETING
TUESDAY, NOVEMBER 2, 2021 7:30 PM
COMMUNITY MEETING HALL
12641 CHAPEL ROAD
CLIFTON, VA 20124**

Present: Mayor Bill Hollaway; Councilmember Steve Effros; Councilmember Patrick Pline; Councilmember Lynn Screen.
Staff: Amanda Christman, Town Clerk; Nick Orrison, Town Treasurer.
Absent: Vice Mayor Regan McDonald; Councilmember Darrell Poe until 7:51 PM.

The Regular Meeting was called to order by Mayor Hollaway at 7:34 PM.

Order of Business:

1. Report of the Town Clerk.

a. Approval of the Minutes (previous meetings and work sessions).

- **Mayor Hollaway moved to approve the October 5, 2021 Town Council meeting minutes as presented, seconded by Councilmember Effros. The motion was approved by poll, 4-0. (Councilmember Poe was absent).**

2. Report of the Treasurer.

See attached report.

- a. Written reports.
b. New credit card.

The Treasurer noted that two signatures on checks could be required for amounts of \$1,000 or more, which would be a more efficient model for the Town to follow. It was reported that online access to pay the credit card has been resolved after a significant amount of effort by the Treasurer.

3. Citizen's Remarks.

Royce Jarrendt of Chapel Road: would like the landscape buffer planted as approved in the landscape plan for the Town Hall, as the current plantings have failed over time. The Clerk was directed to locate the approved landscape plan and provide it to Mr. Jarrendt, so that he could review it. The Council would like to receive feedback on what plants Mr. Jarrendt would prefer.

4. Reports of Committees:

- a. Planning Commission.

See attached report.

- **Mayor Hollaway moved to approve the recommendations of the Planning Commission to issue a conditional Use Permit to LCS Property Services and On-Point Construction Services located at 12644 Chapel Road, Suite 203 with the conditions as set forth in the October 2021 report of the Planning Commission, seconded by Councilmember Poe. The motion was approved by poll, 5-0.**

b. Report of the Zoning Administrator:

i. Update on Residential Construction Projects:

A. 7184 Clifton Road.

A brief update given on the outcome of the civil penalty trial with regard to the retaining walls, which was held recently in Fairfax County's General District Court.

c. Architectural Review Board:

Royce Jarrendt reported that a COA was issued to 7153 Main Street for proposed windows and folding doors.

i. Ayre Square "Park Rules" Sign.

Mr. Jarrendt reported that the ARB voted to not recommend approval of the proposed sign because, while it would add to the sheer number of signs in the area, there is doubt as to how effective it would be at minimizing disruptive behaviors in the park.

d. Streetscape Planning Committee – Update.

A brief update was provided on the conference call between the SPC and VDOT staff. The Council noted that the franchise agreement with Verizon expires soon.

5. Unfinished Business:

a. 8-Acre Park and Public Access Easement Survey.

See attached plat, deed and survey proposal.

The existing plat was reviewed and it was determined that an updated survey should be done in order to ascertain the Town's access to the 8-Acre Park property through existing rights-of-way.

- **Mayor Hollaway moved to authorize the expenditure of up to \$3,500 to perform the survey and lot/easement boundary flags, seconded by Vice Mayor Effros. The motion was approved by roll-call: Hollaway: Aye; Effros: Aye; Poe: Aye; Screen: Aye; Pline: Aye.**

b. Pink House Rear Building - Request for Extension of Deadline to Provide Notice of Lease Extension.

The Council noted that the renewal date written into the lease agreement can be extended to November 15, 2021.

6. New Business:

a. Holiday Tree Lighting Event in Ayre Square – Budget for Tree Lighting and Event.

Donna Netschert indicated that she will provide the contact information of the contractor who performed the tree-lighting work last year to Councilmember Poe so that an updated price quote can be obtained.

- **Mayor Hollaway moved to authorize an expenditure of up to \$1,000 for lights to be placed on the tree, seconded by Councilmember Poe. The motion was approved by roll-call: Hollaway: Aye; Pline: Aye; Screen: Aye; Effros: Aye; Poe: Aye.**

b. Participation in Fairfax County Office of Emergency Management and Security Revision of Northern Virginia Hazard Mitigation Plan including Town of Clifton – Identify Designated Point of Contact for Town of Clifton and Execute Letter of Intent.

See attached letter.

- **Councilmember Poe moved to nominate Councilmember Screen to lead the project of participating in the Northern Virginia Hazard Mitigation Plan, seconded by Councilmember Effros. The motion was approved by poll, 5-0.**

7. Executive Session – Acquisition of Real Property for Public Purpose - Update.

- **Mayor Hollaway moved to enter Executive Session for the sole purpose of discussing the acquisition of real property for public purpose, which is properly discussed in Executive Session, seconded by Councilmember Poe. The motion was approved by poll, 5-0.**
- **Mayor Hollaway moved to close the Executive Session, having certified that only the acquisition of real property for public purpose was discussed, seconded by Councilmember Poe. The motion was approved by poll, 5-0.**

8. Adjournment.

- **Councilmember Effros moved to adjourn, seconded by Councilmember Poe. The motion was approved by poll, 5-0.**

Town of Clifton
Profit & Loss Budget Performance
 October 2021

	October 21	Budget	Jul '21 - Oct 21	YTD Budget	Annual Budget
Income					
Committees Fundraising	0	0	275	0	0
Community Hall Revenues	0	417	0	1,667	5,000
1 Federal CARES Act - COVID-19	0	0	62,497	0	0
General Donations	0	0	0	0	0
American Rescue Plan	0	22,500	0	90,000	270,000
Haunted Trail Event	0	0	0	0	0
Interest Income	71	792	784	3,167	9,500
Other Income	0	0	0	0	0
Pink House Rental	0	2,900	5,800	11,600	34,800
2 S.R. - Litter Control Grant	0	78	0	312	935
State Funding	0	1,250	15,000	5,000	15,000
Tax and Permits Revenue	5,653	8,183	24,390	32,733	98,200
Total Income	5,724	36,120	108,745	144,478	433,435
Gross Profit	5,724	36,120	108,745	144,478	433,435
Expense					
Bank Service Charges	0	0	34	0	0
Citizens' Recognition Expense	0	63	0	250	750
Commodities	0	357	190	1,427	4,280
Contractual	51	12,809	15,155	51,237	153,710
Haunted Trail Expenses	0	175	350	700	2,100
OTHER - TC approval req'd +\$500	0	1,250	845	5,000	15,000
Other Expenses	0	625	0	2,500	7,500
Payroll Expenses	5,395	6,563	23,667	26,252	78,757
Town Assoc of NoVA Event	0	0	0	0	0
Total Expense	5,446	21,841	40,241	87,366	262,097
Net Income	278	14,278	68,505	57,113	171,338
CIF FUNDS:					
CIF Income					
CIF - Capital Improvements Fund	0	74,672	644	298,686	896,059
CIF Expenses					
CIF -Streetscape Phase 2 Constr	0	4,833	0	19,333	58,000
Processing Easements	0	18,668	0	74,672	224,015
Streetscape 2A - Construction	0	1,667	0	6,667	20,000
CIF -Streetscape Phase 2 Design	0	73,148	0	292,592	877,775
CIF Expenses	0	35,000	0	140,000	420,000
Total CIF Expenses	0	133,316	0	533,263	1,599,790
Net Income - CIF Funds	0	(58,644)	644	(234,577)	(703,731)
Consolidated Net Income	278	(44,366)	67,861	(177,464)	(532,392)

Town of Clifton
Profit & Loss Budget Performance
October 2021

NOTES & Highlights: Only major items are highlighted at the Town Council's request. For details refer to the P&L Detail Export tab.

- 1 **Federal CARES Act Revenues:** These funds were returned to Fairfax County following final report as of 06.30.2021. Transaction would have been on previous fiscal year, but change are not allowed during audit.

COVID State and Local Fiscal Recovery Funds: \$82,818.75 received in June 2021 based on original submitted report for total \$220,850 (75% payout of \$165,637.50). Eligibility was changed to include Capital Expenditures, raising total to \$656,248 (75% payout \$492,186). Town received add'l \$69,177.25 09/14/2021. Remaining funds will be in 12 months.

These funds are not as restricted as CARES funding. Details have been provided to Town Council

<https://home.treasury.gov/policy-issues/coronavirus/assistance-for-state-local-and-tribal-governments/state-and-local-fiscal-recovery-funds>

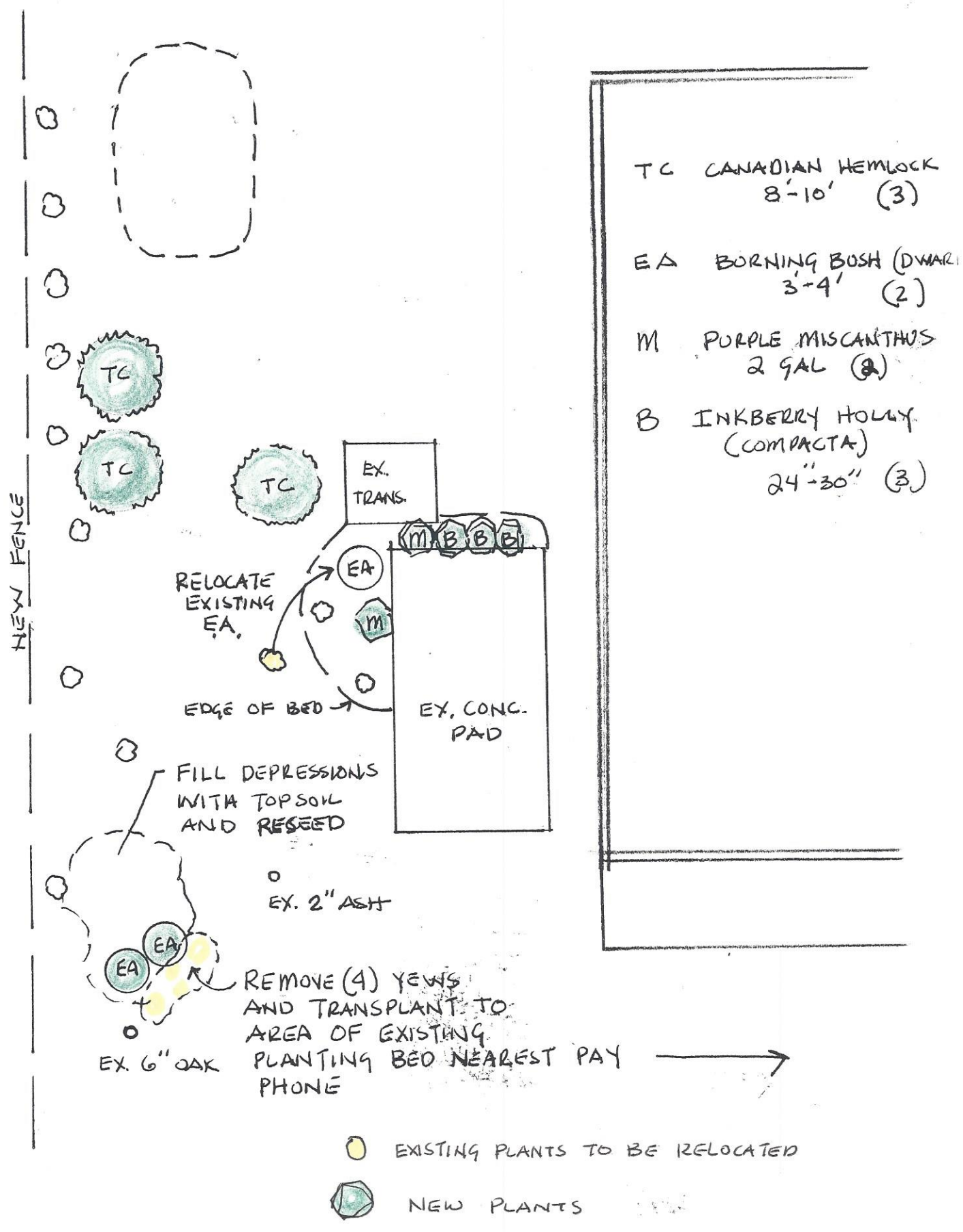
- 2 **S.K. Litter Control Grant** - Previous treasurer made note that reporting may be needed. I will research

ASSETS	10/31/2021	<u>Bank Rates Effective 12/1/2020</u>			<u>Negotiated Increases</u>
		CD Term	Maturity Date	APR %	
Current Assets					
Checking/Savings					
John Marshall Bank CDs	318,813.12	1 yr	8/1/2021	0.65%	Balance reported as of 05.31.21. Working on Account access
C-.D. - United Bank - 2 13 mos CDs	218,265.02	13 months	1/17/2022	0.30%	Down from .75% to .3% due to COVID-19 beginning 12/17/20
C.D. - United Bank 1	50,640.47	13 months	1/4/2022	0.30%	Down from 1.4% to .3% due to COVID-19 @ 12/04/2020
C.D. - United Bank 2	50,640.47	13 months	1/4/2022	0.30%	Down from 1.4% to .3% due to COVID-19 @ 12/04/2020
C.D. - United Bank 3	50,640.47	13 months	1/4/2022	0.30%	Down from 1.4% to .3% due to COVID-19 @ 12/04/2020
C.D. - United Bank 4	50,640.47	13 months	1/4/2022	0.30%	Down from 1.4% to .3% due to COVID-19 @ 12/04/2020
C.D. - United Bank - 4 7-month CDs	402,662.00	13 months	1/8/2022	0.75%	Down from .75% to .3% due to COVID-19 beginning 12/08/20
United Bank - Events Acct	100.00				
United Bank - Haunted Trail Account	3,904.59				
Checking-United Bank	177,876.53	Min Bal \$2,500	"Chairman's Club"	0.10%	
Investments-LGIP	980.04			0.15%	
Money Market Savings-United	164,799.19		10/31/2020	0.25%	Down from 1.39% @ 8/30/19
Security Deposit - United Bank	4,410.18				
Total Checking/Savings	1,494,372.55				





CLIFTON F.S. PLANTING PLAN REVISION

WR REFERENCE 8-95



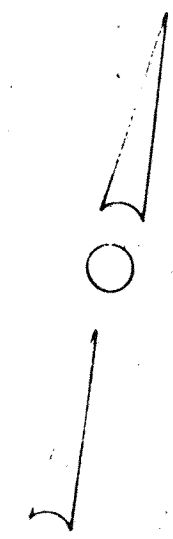
- TC CANADIAN HEMLOCK
8'-10' (3)
- EA BURNING BUSH (DWARF)
3'-4' (2)
- M PURPLE MISCANTHUS
2 GAL (2)
- B INKBERRY HOLLY
(COMPACTA)
24"-30" (3)

-  EXISTING PLANTS TO BE RELOCATED
-  NEW PLANTS

PLANNING COMMISSION REPORT for October 26, 2021

**Present: Terry Winkowski, Michelle Stein, Kathy Kalinowski, Paula Sampson,
Mac Arnold Absent: Susan Yantis and Patrick Pline**

1. The Planning Commission reviewed two applications for commercial use of the same space at 12644 Chapel Road, Suite 203, by LCS Property Services, LLC and OnPoint Construction Services, Inc. for an office use at that location for the business of property and construction services. The Planning Commission has determined that for this commercial office use of 773 net square feet of space, 4 parking spaces are required to be allocated. Since at present all 63 of the existing parking spaces set forth on the property plat are allocated to the various businesses at this location, the Planning Commission recommends a conditional use permit for a period of one year pending the availability of 4 parking spaces, all construction trailers shall be parked offsite, and the hours shall be Monday thru Friday 7AM-8PM. The Planning Commission makes this recommendation for several reasons: The parking lot for the businesses at this location is never full and there are no discernible parking problems at this location. The owner of the property is restriping and resurfacing the parking area and expects to obtain several more parking spaces as a result. It is also expected that one or more businesses at that location due to changes in their business may be able to downsize their parking allocations, thus freeing up more parking spaces to be allocated. While these are two separate businesses at this location, the Planning Commission recommends that only one use permit be issued since the space is shared, the hours for both businesses are the same and the parking allocation is based on the net square footage of the shared space. However, the Town Council should address the requirement that BPOL needs to be paid by each company.
2. The Planning Commission is moving forward with updating the Town Plan which state law requires be updated every five years. The last update was in 2009. The Northern VA Regional Commission has agreed to for a fee to update the maps and statistical data in the Plan and the Planning Commission believes it has located a consultant who can assist with drafting and formatting. The Planning Commission expects to use the funds allocated in the budget to the Planning Commission for updating the Town Plan this fiscal year.



SOUTHERN RAILROAD R.O.W.

FAIRFAX COUNTY BOARD OF SUPERVISORS

PARCEL 37
D.B. 3231 PG. 384

PARCEL 2
N/F: WEBB

PARCEL 1
N/F: LEE

PARCEL 1-A
N/F: BUCKLEY

PARCEL 41
N/F: MULLING

The property delineated on this plat is
located on assessment map 75-4.
①, parcel 37.

FAIRFAX COUNTY, VIRGINIA DEPARTMENT OF PUBLIC WORKS OFFICE OF CAPITAL FACILITIES	
PLAT SHOWING SAN. SEWER FACILITIES ESM'T THRU PROPERTY OF FAIRFAX COUNTY BOARD OF SUPERVISORS SPRINGFIELD DISTRICT	
SCALE: 1"=50'	DATE: 9/02/75 DRAWN BY: C.A.E.

05304

BOOK 4347 PAGE 549

THIS DEED made and entered into this 28th day of April, 1975, by and between RICHARD R. BUCKLEY, unmarried, party of the first part, and THE TOWN OF CLIFTON, a Municipal Corporation of the State of Virginia, party of the second part,

WITNESSETH:

WHEREAS, by Deed dated September 22, 1969, and recorded October 3, 1969, in Deed Book 3231 at Page 382 among the land records of Fairfax County, Virginia, the party of the first part conveyed the hereinafter described property to The Board of Supervisors of Fairfax County, Virginia;

AND WHEREAS, under the terms of said Deed, the property was to revert to the party of the first part, subject to easements for any existing sanitary sewer lines, if the County of Fairfax ceased to use the property in their operation of sewage disposal facilities;

AND WHEREAS, the County of Fairfax agreed to reconvey the property to the party of the first part upon his request should the County of Fairfax cease using the property for sanitary disposal facilities;

AND WHEREAS, the property has never been used for sanitary disposal facilities, and it is the desire of the parties hereto that said property be used as a public park;

NOW THEREFORE, in consideration of \$10.00 cash in hand paid to him by the party of the second part, and other good and valuable consideration, receipt of which is hereby acknowledged, the party of the first part does grant, bargain, sell and convey unto the party of the second part with GENERAL WARRANTY OF TITLE, his reversionary rights and rights to reconveyance under said Deed recorded in Deed Book 3231 at Page 382 in the following property:

*Recd. to: Kelly, Ann, Lawson, Sumbarger
Mayor, Angela B. Waters
Town of Clifton, Virginia 22024*

BEGINNING at a point lying in the southerly right-of-way line of the Southern Railroad Property and on the Easterly edge of Popes Head Creek, said point being the extreme Northwesterly corner of the former R. R. Buckley Tract as recorded in Deed Book N14, Page 419 and being a corner common to the Lee Tract; thence departing said Lee Tract and running with the Southerly right-of-way line of the Southern Railroad Property S. 89° 49' 40" E. 257.58 feet to a point of curvature; thence in an Easterly direction 756.11 feet, measured along the arc of a curve to the left, having a radius of 1472.69 feet, to a point of tangency; thence N. 60° 45' 20" E. 337.62 feet to a point lying in the middle of said Popes Head Creek; thence running down the middle of said Popes Head Creek by average lines therewith the following courses and distances; S. 21° 09' 40" E. 89.84 feet, S. 00° 12' 20" E. 279.00 feet, S. 20° 35' 40" W. 167.72 feet, S. 77° 59' 20" W. 144.16 feet, N. 81° 44' 40" W. 264.74 feet, S. 89° 44' 30" W. 222.00 feet, S. 71° 53' 40" W. 109.42 feet, S. 86° 48' 50" W. 413.64 feet, and N. 26° 27' 50" W. 243.42 feet to the point and place of beginning, containing 8.306 acres of land, more or less.

AND BEING the same property reserved by the party of the first part by Deed dated September 22, 1969, and recorded October 3, 1969, in Deed Book 3231 at Page 382 among the land records of Fairfax County, Virginia

This conveyance is made expressly subject, however, to the rights-of-way and conditions on record, and likewise to public utility easements of record. It is also made expressly subject to the rights of the Board of Supervisors of Fairfax County, Virginia, in and to the above described property.

In the event that said property is not used as a public park within five years from the date of this deed, the said property shall revert to the party of the first part, and the party of the second part shall reconvey the property to the party of the first part.

If the said property is used as a public park within five years from the date hereof, but later ceases to be used for such purposes, the property shall revert to the party of the first part and the party of the second part shall reconvey the property

to the party of the first part.

BOOK 4347 PAGE 545

Further, in the event the property reverts and is reconveyed to the party of the first part, the party of the second part shall cause the property to be restored substantially to its condition at the time the party of the second part comes into possession, including the removal of any buildings or structures located thereon provided said buildings or structures are requested to be removed by the party of the first part.

The party of the first part covenants that he has a good right to convey the premises to the party of the second part; that said land is free from lien or encumbrance of any kind or character except as aforesaid, and that he, the said party of the first part, will execute such further assurances of title thereto as may be requisite.

WITNESS the following signature and seal.

Richard R. Buckley (SEAL)
RICHARD R. BUCKLEY

STATE OF FLORIDA ,

COUNTY OF LEE , to-wit:

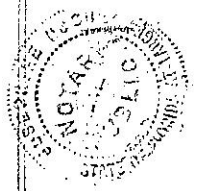
I, the undersigned, a Notary Public in and for the State and County aforesaid, do hereby certify that this day personally appeared before me in my said State and County, RICHARD R. BUCKLEY, whose name is signed to the foregoing and hereunto annexed Deed, dated the 28th day of APRIL, 1975, and who acknowledged the same before me.

GIVEN under my hand this 28th day of APRIL, 1975.

My commission expires:

Notary Public, State of Florida at Large,
My Commission Expires Oct. 3, 1978
Bonded by Notary Owners Insurance Co.

Josephine Hoque
Notary Public



In the Clerk's Office of the Circuit Court of Fairfax County, Virginia FEB 9 1976 at 7:11 A.M.

This instrument was received and, with the certificate annexed, admitted to record
Teste: *James E. Hooper* Clerk



8808-H Pear Tree Village Ct.
Alexandria, VA 22309
703.619.6555 fax: 703.799.6412
www.dominionsurveyors.com

October 30, 2021

Mr. James Fullerton
Fullerton & Knowles, P.C.
12642 Chapel Road
Clifton, Virginia 20124

jfullerton@fullertonlaw.com

RE: Clifton Park
TM: 075-4-01-0037
Town of Clifton
Fairfax County, Virginia

Dear Mr. Fullerton:

Thank you for considering Dominion Surveyors, Inc. for providing the surveying services required on the above referenced parcel. The subject parcel contains approximately 8.306 acres.

The following is a summary of the services to be provided to you.

Task I – Boundary Survey

Dominion Surveyors, Inc. will perform a Boundary Survey in accordance with the Minimum Standards and Procedures contained in 18 VAC 10-20-370 of the Code of Virginia on the above referenced parcels.

FEE: \$2,800.00

This proposal is only for the work outlined above. Any additional work created by the client and/or owner shall be billed at our normal hourly rates.

HOURLY RATES

Principal	\$325.00 per hour
Sr. Engineer, P.E.	\$275.00 per hour
Land Surveyor	\$225.00 per hour
Design Engineer	\$200.00 per hour
Field Crew	\$175.00 per hour
Computing	\$150.00 per hour
AutoCAD	\$110.00 per hour
Administrative	\$100.00 per hour

Title report to be provided by client and/or owner.

Owner and/or client to notify all adjacent owners that Dominion Surveyors, Inc. will be conducting a survey and may need access to their property.

We will schedule the work upon our receipt of a signed authorization to proceed.

Payment for work performed is due upon submission or delivery of each task to you. Invoices that are not paid within 30 days shall be charged 2% interest (24% per annum).

If this proposal is acceptable please sign in the space provided, and return to our office or email your signed proposal to orders@dominionsurveyors.com or fax to (703) 799-6412. Once we have received your signed proposal we will schedule the work to be completed. **We are accepting proposals in the order received.**

There are no cancellations on signed authorizations.

Sincerely,

Dominion Surveyors, Inc.

A handwritten signature in black ink, appearing to read 'Ken Marceron', written in a cursive style.

Kenneth Marceron, LS

I hereby accept this proposal, as presented, for the above referenced project.

Date

Letter of Intent to Participate in the Northern Virginia Hazard Mitigation Plan

By signing this Letter of Intent, the Town of Clifton, Virginia hereby commits to participate in the revision of the Northern Virginia Hazard Mitigation Plan in accordance with the requirements outlined in the Code of Federal Regulations Title 44 Part 201.6, and guidance provided by the Virginia Department of Emergency Management.

The Town of Clifton enters into this agreement voluntarily and commits to participate fully in the plan revision, acknowledging that such participation shall include, but is not limited to, local attendance/representation at upcoming planning and public meetings, responses to detailed inquiries and data requests, and fulfillment of the local match requirement by providing and tracking in-kind services and materials associated with those activities described above.

Upon conclusion of the process the Town of Clifton agrees to submit the completed revised plan to its governing body for formal adoption as required under the Code of Virginia Sections 15.2-2226 and 15.2-2231 following preliminary approval by the Virginia Department of Emergency Management and the Federal Emergency Management Agency, Region III.

Locality Name:	Town of Clifton
Locality Administrator:	
Phone Number/Email:	
Emergency Management Agency Contact:	
Phone Number/Email:	

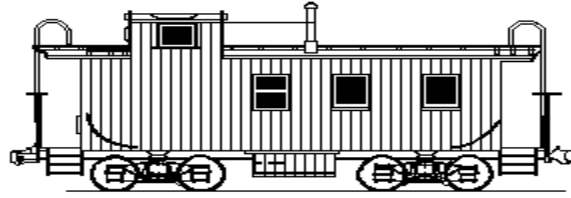
Affirmation (please check one):

- The Town of Clifton WILL participate in the revisions of the Northern Virginia Hazard Mitigation Plan in accordance with the agreement, regulations, and guidance cited above, and in accordance with any grant agreements made to provide the region with federal and/or state funding to support such revisions.
- The Town of Clifton WILL NOT participate in the revision of the Northern Virginia Hazard Mitigation Plan, nor will it seek to develop its own mitigation plan as described by the regulations and guidance cited above. Furthermore, this locality understands that by not developing a plan, or participating in the revision of the regional plan, it will not be eligible for the federal and/or state hazard mitigation funding through the Hazard Mitigation Grant Program and the annual Hazard Mitigation Assistance Programs.

Signatures:

Administrator Date

Emergency Management Agency Contact Date



**CLIFTON TOWN COUNCIL MEETING
TUESDAY, NOVEMBER 2, 2021, 7:30 PM
WAYNE H. NICKUM CLIFTON TOWN HALL
12641 CHAPEL ROAD
CLIFTON, VA 20124**

Town Council Meeting - Order of Business:

1. Report of the Town Clerk:
 - a. Approval of the Minutes (previous meetings and work sessions).
2. Report of the Treasurer:
 - a. Written reports;
 - b. New credit card.
3. Citizen's Remarks - Suggestions or complaints of citizens and taxpayers, and other persons authorized by the Mayor to address the Council.

Each person wishing to address the Council shall, when recognized by the Mayor:

 - (i) Give their name and address;
 - (ii) Direct their remarks to the Council and not to other citizens present;
 - (iii) Be limited to one period of not over three (3) minutes, unless granted additional time by unanimous consent of the Council.

Persons requesting to speak must have registered with the Town Clerk by no later than Noon of the day of the meeting. Priority to speak shall be given to persons in the order that they registered with the Town Clerk.
4. Reports of Committees:
 - a. Planning Commission.
 - b. Report of the Zoning Administrator:
 - i. Update on Residential Construction Projects:
 - A. 7184 Clifton Road.
 - c. Architectural Review Board:
 - i. Ayre Square "Park Rules" Sign.
 - d. Streetscape Planning Committee – Update.
5. Unfinished Business:
 - a. 8-Acre Park and Public Access Easement Survey;
 - b. Pink House Rear Building - Request for Extension of Deadline to Provide Notice of Lease Extension
6. New Business:
 - a. Holiday Tree Lighting Event in Ayre Square – Budget for Tree Lighting and Event;
 - b. Participation in Fairfax County Office of Emergency Management and Security Revision of Northern Virginia Hazard Mitigation Plan including Town of Clifton – Identify Designated Point of Contact for Town of Clifton and Execute Letter of Intent.
7. Executive Session – Acquisition of Real Property for Public Purpose - Update.
8. Adjournment.