

**CLIFTON TOWN COUNCIL MEETING
TUESDAY, MARCH 5, 2024, 7:30 PM
WAYNE H. NICKUM COMMUNITY MEETING HALL
12641 CHAPEL ROAD
CLIFTON, VIRGINIA 20124**

Present: Mayor Tom Peterson; Vice Mayor Regan McDonald; Councilmember Jay Davis; Councilmember Steve Effros; Councilmember Mary Hess; Councilmember Lynn Screen.

Staff: Amanda Christman, Town Clerk; Lisa Wax, Town Treasurer.

The Regular Meeting was called to order by Mayor Peterson at 7:30 PM.

1. Wayne & Donna Nickum Community Service Award.

Mayor Peterson presented the Wayne & Donna Nickum Community Service Award for their decades of service to the Clifton community.

2. Apply Policy for Remote Participation by Electronic Means for Town of Clifton (if needed).
All Councilmembers were physically present.

3. Report of the Town Clerk:

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

- **Vice Mayor Effros moved to approve the February 6, 2024 minutes with one correction, seconded by Vice Mayor McDonald. The motion was approved by poll, 6-0.**

4. Report of the Treasurer:

See attached report.

- **Mayor Peterson moved to approve the expenditure of \$3,900 for legal services and \$800 for storm door repair at the Pink House, seconded by Councilmember Davis. The motion was approved by poll, 6-0.**

The Treasurer indicated that she would send an email to coordinate the dates for the upcoming FY2025 budget work sessions. She noted that a public hearing on the budget will be held directly before the May 7 regular Town Council meeting, and the vote to adopt the FY2025 Budget would be held at the June 4 regular Council meeting.

5. Citizen's Remarks.

Ed Ehlers, Resource Recovery Group: provided a status update on the resources that have been recovered as of late.

6. Reports of Committees:

a. Planning Commission.

See attached report.

- **Mayor Peterson moved to accept the recommendations of the Planning Commission and approve the Final Use Permit for construction for 12634 Chapel Road, seconded by Vice Mayor McDonald. The motion was approved by poll, 6-0.**
- **Councilmember Screen moved to accept the recommendations of the Planning Commission and approve the Use Permit for the Farmers Market at 12644 Chapel Road, seconded by Councilmember Effros. The motion was approved by poll, 6-0.**
- **Councilmember Effros moved to accept the recommendations of the Planning Commission and approve the Use Permit for Wheelhouse Pilates in suite 5M at 12642 Chapel Road, seconded by Councilmember Davis. The motion was approved by poll, 6-0.**
- **Councilmember Hess moved to accept the recommendations of the Planning Commission and approve the Use Permit for Custom Care Physical Therapy in suite 2M at 12642 Chapel Road, seconded by Vice Mayor McDonald. The motion was approved by poll, 6-0.**
- **Councilmember Hess moved to accept the recommendations of the Planning Commission and approve the Use Permit for Clifton Bridal Boutique in suites 3U and 4U at 12642 Chapel Road, seconded by Mayor Peterson. The motion was approved by poll, 6-0.**

b. Zoning Administrator.

A brief report was delivered on a sign violation in Triangle, which was quickly resolved.

c. Architectural Review Board.

Royce Jarrendt reported that the Architectural Review Board approved the business directory sign at 12642 Chapel Road and that individual tenants will not need to seek individual Certificates of Approval for their signage to be inserted in the directory.

A Certificate of Appropriateness was issued for the Main Street Pub to replace two existing signs with new signs.

A Certificate of Appropriateness was issued for two signs at 12644 Chapel Road for the Farmers Market, but the proposed signs on locations other than that location are not within the Board's purview.

- **Councilmember Hess moved to approve lettering on the Clifton Elementary School marquee sign for the duration of the Farmers Market 2024 season and for two signs to be placed in Ayre Square on market days limited to 7AM to 1PM, seconded by Councilmember Davis. The motion was approved by poll, 6-0.**

d. Finance Committee

Kevin Hutto, Chair of the committee, reported on the organizational meeting that was held. He recommended that 95% of the Town's funds be kept in the existing Local Government Investment Pool (LGIP) because of its high liquidity and interest rate.

e. Special Projects Committee (Streetscape).

The Treasurer indicated that the Special Projects Committee needs to provide details of their monthly cash flow plan. She recommended that the Town explore the option of obtaining a letter of credit from the bank or Commonwealth of Virginia to be given to Verizon in lieu of sending a \$300,000 check to Verizon so that interest can be accrued on that amount.

Councilmember Davis indicated that the Town Attorney should be tasked with reviewing the legal risk of the Streetscape plan. He also wants to receive reports on the meetings with VDOT as they happen.

Kathy Kalinowski recommended that the request to the attorney be tightly-focused and that the response be in writing. The resolution should be drafted in advance and sent to VDOT for review.

Brant Baber volunteered to draft the request letter to the Town Attorney.

Adam Cirigliano added that the Town should consider adding several qualifications to the resolution to reduce the risks.

- **Councilmember Hess moved to approve the expenditure of up to \$50,000 for services stipulated in the J2 Engineers agreement executed in February, seconded by Councilmember Screen. The motion was approved by roll-call: Hess: Aye; McDonald: Aye; Screen: Aye; Davis: Aye; Peterson: Aye; Effros: Aye.**
- **Councilmember Davis moved to approve the CES proposal for utility consultant services on the condition that VDOT has approved CES as a consultant, seconded by Councilmember Screen. The motion was approved by roll-call: Hess: Aye; McDonald: Aye; Davis: Aye; Screen: Aye; Peterson: Aye; Effros: Abstained.**

7. Unfinished Business:

a. Town Hall HVAC System Update.

Mayor Peterson reported that County Supervisor Pat Herrity is pushing the County to replace the 31-year-old units. Darrell Poe added that the cost of replacing the units is estimated to exceed \$100,000. The option of replacing with mini splits is being explored for energy efficiency.

b. Meals Tax – Next Steps.

It was reported that the Finance Committee is working on researching potentially necessary Code changes. The tax could be implemented as early as July and is forecast to yield approximately \$200,000 in yearly revenue.

Mr. Baber recommended that the Town Attorney review the proposed meals tax language prior to advertisement.

8. New Business:

a. Request for Main Street Banner April 15-28 for Clifton Lions-DEA Drug Take-back Day.

- **Vice Mayor McDonald moved to approve the request, seconded by Councilmember Hess. The motion was approved by poll, 6-0.**

b. Clifton Gala.

Mayor Peterson provided brief progress report on the planned event.

Adopted by the Town Council on April 2, 2024 as presented

c. Farmer's Market Signage Proposal.

Action was taken under item 6(c).

d. Town Manager Position.

Tabled.

e. Dominion Energy Tree Work on Steep Slopes.

A brief update was provided on the large amount of vegetative debris left by Dominion Energy on the steep slopes from Chestnut Street down toward the creek, which may threaten the safety of the public and the waterway. The Town is actively investigating the situation and additional details will be provided as they become available.

9. Adjournment.

Having concluded the business of the evening, the Council adjourned the meeting by general acclamation.

TREASURER MONTHLY REPORT
February 2024
COUNCIL MEETING – March 6, 2024

Invoices

- Request approval from Council to pay legal bill for \$3,900.

BPOL

- Collected \$45,397 so this fiscal year (FY24) as of 3/2/24. Still at least 4 businesses in Town that have not paid. Treasurer is contacting those businesses.
- FY23 total was \$40,736.

Accounts

- United Bank Certificate of Deposit matures on 3/2/24. Rolled into United Money Market.
- Per Finance Committee recommendation, will open Schwab Money Market fund. Rates running over 5%. Improved rates (~.25% higher) for investments > \$1M.

Budget – FY24

- Most expenses are under-running and greater than budgeted BPOL revenue will offset lower interest income.
- Net income from Operations (w/o Streetscape) is likely to be more positive than expected.

Budget – FY25

- Gala proceeds will not be known until mid-June; consider final budget vote be at June Council Meeting once Gala ticket sales are known.
- Need to schedule Budget Work Sessions. Proposed Schedule:
 - Solicit input from Committees: March 11-22
 - Budget work sessions: 2 sessions, weeks of April 8 and April 22
 - **Need Mayor and Council Member availability**
 - Public Hearing: May 7 (adjacent to Council Meeting)
 - Final budget vote: June 4 at Council Meeting

Town of Clifton Profit & Loss Budget Performance December 2023 (as of 1/7/24)

	February 2024	Month Budget	Jul '23 - June '24	YTD Budget	Annual Budget	
Income						
1	Committees Fundraising (Homes Tour, Park)	1,360	250	4,954	2,000	3,000
	Community Hall Revenues	1,356	958	5,925	7,667	11,500
	General Donations	0	0	0	0	0
	American Rescue Plan	0	0	0	0	0
	Haunted Trail Event	0	3,125	67,287	25,000	37,500
	Interest Income	1,161	4,583	31,179	36,667	55,000
2	Other Income	0	13	1,154	100	150
	Pink House Rental	4,200	2,900	28,850	23,200	34,800
	S.R. - Litter Control Grant	0	111	14,990	886	1,329
3	State Funding	0	1,250	15,000	10,000	15,000
	Tax and Permits Revenue - BPOL & Permits	34,531	3,417	43,221	27,333	41,000
	Tax and Permits Revenue - Other	4,239	4,308	34,739	34,467	51,700
	Total Income	46,848	20,915	247,298	167,319	250,979
	Gross Profit	46,848	20,915	247,298	167,319	250,979
Expense						
	Bank Service Charges	0	0	15	0	0
	Citizens' Recognition Expense	0	63	0	500	750
	Commodities	272	394	2,038	3,153	4,730
3	Contractual	6,253	12,879	60,663	103,034	154,550
	Haunted Trail Expenses	186	175	19,089	1,400	2,100
	OTHER - TC approval req'd +\$500	0	1,250	0	10,000	15,000
4	Special Revenue Expenses	0	0	3,923	0	0
	Other Expenses	0	525	0	4,200	6,300
	Payroll Expenses	6,024	6,192	49,229	49,534	74,300
	Town Assoc of NoVA Event	0	0	0	0	0
	Total Expense	12,735	21,478	134,958	171,820	257,731
	Net Income	34,114	(563)	112,341	(4,501)	(6,752)
CIF FUNDS:						
CIF Income						
	CIF - Capital Improvements Fund	0	6,667	2,547	53,333	80,000
CIF Expenses						
	CIF -Streetscape Phase 2 Constr	0	0	0	0	0
	Processing Easements	0	3,500	0	28,000	42,000
	Streetscape 2A - Construction	0	4,833	0	38,667	58,000
	CIF -Streetscape Phase 2 Design	0	0	17,289	0	0
	CIF Expenses	0	32,500	0	260,000	390,000
	Total CIF Expenses	0	40,833	17,289	326,667	490,000
	Net Income - CIF Funds	0	(34,167)	(14,742)	(273,333)	(410,000)
	Consolidated Net Income	34,114	(34,729)	97,599	(277,834)	(416,752)

NOTES & Highlights: Only major items are highlighted.

- 1 Collected remainder of Homes Tour checks
- 2 Insurance reimbursement for Town Hall window replacement
- 3 Fire Program funds of \$15,000 received 12/22/23
- 4 Resource Recovery - SR Litter Control Grant

ASSETS	2/29/2024	3/3/2024	CD Term	Maturity Date	APR %	<u>Notes</u>
Current Assets						
Checking/Savings						
John Marshall Bank CDs	332,728.74			4/2/2024	4.41%	Interest credited monthly
United Bank - Haunted Trail Account	9,459.76					
United Bank - Events Acct	8,412.56					
United Bank - Checking	35,615.59	Min Bal \$2,500		"Chairman's Club"		
Untied Bank - Security Deposit	4,415.35					
United Bank - Money Market Savings	221,962.20	Min Bal \$15,000			3.75%	
United Bank - CD	926,988.58			3/2/2024	4.00%	Interest credited quarterly (Mar, Jun, Sep, Dec)
Investments-LGIP	1,054.85				0.15%	as of 1/31/24 - statements lag
Total Checking/Savings	1,540,637.63					



PLANNING COMMISSION REPORT for February 27, 2024: in person
Present: Terry Winkowski, Michelle Stein, Jay Davis, Adam Trost, Kathy Kalinowski, Absent: Paula Sampson, Susan Yantis

1. The Planning Commission reviewed the request for a final use permit for construction at 12634 Chapel Road for the property owned by the Hollaways. The applicant provided copies of the Fairfax County final inspection and the occupancy permit and a final approved plan from the County and a statement that the construction was completed in accordance with the COA issued by the ARB. The recommendation is to approve the final use permit for construction of this property.
2. The Planning Commission reviewed a request for a use permit application by Virginie Rodriguez for the establishment of a farmer's market in the courtyard of 12644 Chapel Road, to operate every Sunday from April 14, 2024 until November 17, 2024 from 7AM until 2 PM (including set up and dismantling) and to include a maximum of 10 vendors on site. The Planning Commission recommends that the use permit be approved with the following conditions:
 - That the written parking agreement to park 5 vendor vehicles in the parking lot located at 12642 Chapel Road from April thru November 2024, also be approved.
 - That the use permit terminate as of December 1, 2024, the date of the parking agreement termination.
 - That the 10 vendors be located in the courtyard as shown on the attached map.
 - That the restrooms at 12634 located on the ground floor near the courtyard be available for use of vendors and those attending the market during market hours.
 - That the applicant will provide for trash collection and disposal arising from the market.
 - That any food vendors preparing, cooking, serving and storing food have all required Fairfax County permits, including the Temporary Food Establishment permit, that they use a fire resistant tent and have fire extinguishers.
 - The hours and days of operation set forth above and a maximum of 10 vendors.
3. The Planning Commission reviewed the use permit and application of Wheelhouse Pilates, made by Tamara Crean, located at 12642 Chapel Road, in Suite 5M, 141 sq.ft., for a commercial/retail/class use, for an pilates and yoga sessions, with one employee, hours and days of operation to be Monday thru Saturday 7AM – 9PM, and the allocation of 2 parking spaces. The Planning Commission recommends approval of the application upon the aforesated terms and conditions.

4. The Planning Commission reviewed the use permit application of Custom Care Physical Therapy, made by Jennifer Youngen, for a commercial office use for private physical therapy sessions by appointment, located at 12642 Chapel Rd, Clifton in Space 2M, which comprises 180 square feet, hours of operation Monday through Friday 8AM – 6 PM, and the allocation of 1 parking space. The Planning Commission recommends approval of the application upon the aforesated terms and conditions.

5. The Planning Commission reviewed the use permit application for the expansion of space for Clifton Bridal Boutique LLC, made by Teri Brooks and Kathryn Robinson, for a commercial retail use for the sale of bridal attire, located at 12642 Chapel Rd., Clifton, in Spaces 3U and 4U, which comprises 310 square feet, hours of operation Wednesday-Sunday 11AM-6PM, 2 employees on site, and the allocation of 3 parking spaces. The Planning Commission recommends approval of the application upon the aforesated terms and conditions.



The Fruitful Forest



dba Clifton farmers market

02/08/2024

SIGNAGE PROPOSAL:

1- Permanent sign:

Announcement on the Clifton elementary school board on Clifton Road for the entire farmers market 2024 season (April through November).

“Clifton Farmers Market
Sundays 8 to noon
April to November
@cliftonfarmersmarket”



2- Temporary signs:

Quantity of (1) A frame and (1) flag at the corner of Main Street and Chapel Road (near street sign).

Both signs will be put in place every Sunday before the market start and removed every Sunday when the market end.

A frame (corrugated plastic, weatherproof and can be filled with water or sand, rust proof) dimensions and rendering:



Flag (durable polyester) dimensions and rendering:



Flag Base to use (fillable with water or sand, weatherproof):



3- A temporary banner.

A banner to be displayed above main street, 30 days before the farmers market starts.

Location below:



Vinyl Banner (weatherproof) dimensions and rendering:





Amanda Christman <clerk@cliftonva.gov>

Town Of Clifton Streetscape Project Update

Geri Yantis <gyantis@syaa.com>

Mon, Mar 4, 2024 at 5:25 PM

To: Tom Peterson <tpeterson@cliftonva.gov>, Regan McDonald <rmcdonald@cliftonva.gov>, "lscreen@cliftonva.gov" <lscreen@cliftonva.gov>, "mhess@cliftonva.gov" <mhess@cliftonva.gov>, Jay Davis <jdavis@cliftonva.gov>, Steve Effros <steve@effros.com>, Amanda Christman <clerk@cliftonva.gov>, Clifton Treasurer <treasurer@cliftonva.gov>
Cc: Susan Yantis <syantis@hunton.com>

All,

Please find attached the proposal from CES for the Utility Coordination which is part of the Right-of-way phase. We will be discussing this at the meeting tomorrow night for approval. This is a key element to fully engage the utility portion of the project.

[Quoted text hidden]



Town of Clifton Utility_Tasks Proposal Streetscape Project -CES(Mar 2024).pdf

794K

FYI on DE Project

Amanda Christman <clerk@cliftonva.gov>

Tue, Feb 27, 2024 at 7:32 AM

To: "yolanda.c.green@dominionenergy.com" <yolanda.c.green@dominionenergy.com>

Cc: Planning Commission <planning@cliftonva.gov>

Good morning, Yolanda,

It has been brought to my attention that a very large number of cut trees have been left lying precariously on the steep slope at the Chestnut Street site. This debris threatens a pedestrian path and waterway at the bottom of the slope.

Please explain what Dominion will do to fix this situation and when?

Best Regards,

Amanda Christman, CZA (she/her)
Zoning Administrator , Clifton, VA

[Quoted text hidden]

3 attachments



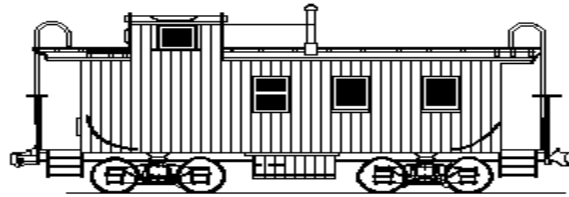
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**CLIFTON TOWN COUNCIL MEETING
TUESDAY, MARCH 5, 2024, 7:30 PM
WAYNE H. NICKUM COMMUNITY MEETING HALL
12641 CHAPEL ROAD
CLIFTON, VIRGINIA 20124**

Order of Business

1. Wayne & Donna Nickum Community Service Award.
2. Apply Policy for Remote Participation by Electronic Means for Town of Clifton.
 - a. Confirm and Declare Physical In-Person Quorum for Meeting.
 - b. Identify Remote Participants.
 - i. General Location of Remote Participant.
 - ii. Reason for Remote Participation.
3. Report of the Town Clerk:
 - a. Approval of the Minutes (previous meetings, special meetings, and work sessions).
4. Report of the Treasurer:
5. 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:

 - Give their name and address;
 - Direct their remarks to the Council and not to other citizens present;
 - 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 order registered with the Town Clerk.
6. Reports of Committees:
 - a. Planning Commission.
 - b. Zoning Administrator.
 - c. Architectural Review Board.
 - d. Finance Committee
 - e. Special Projects Committee (Streetscape).
 - i. Resolution to Reflect Funding and Town Obligations.
7. Unfinished Business:
 - a. Town Hall HVAC System Update.
 - b. Meals Tax – Next Steps.

1] If anyone attending this meeting requires an ASL or English language interpreter, or any other type of special accommodation or auxiliary aid, please contact the Town Clerk at clerk@cliftonva.gov. A request should be made at least five (5) days in advance of the meeting to provide sufficient time to make the necessary arrangements. These services are available at no charge to the individual.

Wayne H. Nickum Town Hall
12641 Chapel Road
Clifton, VA 20124

Mailing Address:
P.O. Box 309
Clifton, VA 20124

8. New Business:

a. Request for Main Street Banner April 15-28 for Clifton Lions-DEA Drug Take-back Day.

b. Clifton Gala.

c. Farmer's Market Signage Proposal.

d. Town Manager Position.

d. Dominion Energy Tree Work on Steep Slopes

9. Adjournment.

2) If anyone attending this meeting requires an ASL or English language interpreter, or any other type of special accommodation or auxiliary aid, please contact the Town Clerk at clerk@cliftonva.gov. A request should be made at least five (5) days in advance of the meeting to provide sufficient time to make the necessary arrangements. These services are available at no charge to the individual.