



**CLIFTON TOWN MEETING MINUTES**

**FOR TUESDAY, January 5, 2010 7:30 PM**

**CLIFTON TOWN MEETING HALL**

**12641 CHAPEL ROAD**

**CLIFTON, VA 20124**

Town Council members present: Chuck Rusnak, Mike Anton, Tom Peterson, Deborah Dillard, Pat Layden, Wayne Nickum.

**Order of Business-**

Tom Peterson called the meeting to order at 7:35 pm.

**1. Reading of Minutes of last regular meeting and any subsequent special meetings.**

**Motion:** Mike Anton made a motion to approve the Minutes for the December 2009 Town Council meeting. Wayne Nickum seconded the motion, and it was unanimously approved.

**Motion:** Wayne Nickum made a motion to approve the Minutes for the Public Hearing and executive session that took place on December 16, 2009, with the edit that Mr. Anton was not present at the meeting; the Minutes listed that he was present. Tom Peterson seconded the motion, and it was unanimously approved.

**2. Report of the Treasurer**

Treasurer Marilyn Barton presented the Treasurer's Report as of December 31, 2009. Money Market Savings-Cardinal, \$45,100.85; Checking-Cardinal, \$16,396.11; Investments-LGIP, \$911.30. Total Checking/Savings being \$62,408.26.

**Motion:** Wayne Nickum made a motion to approve the Treasurer's Report. Pat Layden seconded the motion, and it was unanimously approved.

**3. Communications**

Tom Peterson announced that there were no communications.

**4. Reports:**

**a. Planning Commission**

Pat Layden spoke on behalf of the Planning Commission. First item: Recommend for approval the application for the use permit by Virginia Buersmeyer for VA Spa at 12644 Chapel Road, to utilize 733 square feet at Suite 203, to be allocated 3 parking spaces for a maximum of two employees and 1, whose hours of operation shall be Sunday through Saturday 10 am to 9 pm.

**Motion:** Wayne Nickum made a motion to approve the recommended use permit by Virginia Buersmeyer for VA Spa at 12644 Chapel Road, noting the name change from "Virginia's Private Spa Treatments" to "VA Spa." Deborah Dillard seconded the motion, and it was unanimously approved.

Second item: Review recommendation from Town Council for the amendment of Town Code to allow Residential use in Low Impact Commercial areas, specifically the Old Town Hall. The Planning Commission approved the proposed amendment for the public hearing on February 3, 2010 together with the Town Council public hearing.

Third item: Review the recommendation from the Parking Committee of proposed amendments to the parking ordinance. Discussion of changes to the proposal and agreement that parking committee will resubmit proposal to address issues discussed at meeting. This must be done in time for the Planning Commission's January meeting. It was reported that the railroad side parking area is moving along, except for some Chesapeake Bay ordinance issues; they may need to come back to the Planning Commission and the Town Council, and ask if they can get a waiver from certain portions of the Chesapeake Bay ordinance. The parking code was also reviewed; there was no request of action at the present Town Council meeting, however there were a few revisions. The only outstanding issues are the definition of dustless service, which may be discussed with Gifford Hampshire. Lastly, some Planning Commission members wished to refine the parking code to consider more modern line configurations such as motorcycle parking.

**The Pink House:** Tom Peterson requested that the Town Council, since the two new businesses moving into the Pink House have already signed leases and a recommendation from the Planning Commission is not required, give approval to Alicia Rohling and the Tim Hugo Group. He continued that there is plenty of parking, and there should be no reason for the Town Council to disapprove of their use permit applications. There was brief discussion.

**Motion:** Wayne Nickum made a motion that the Town Council take a brief break to look over the use permits and make sure they are in line with the Town Code. Tom Peterson seconded the motion, and it was unanimously approved.

The Town Council meeting was called back in session at 8:09 pm. After brief discussion, the Town Council agreed to approve the use permits during the present meeting then send them to the Planning Commission for their January 26<sup>th</sup> meeting for review and feedback at our meeting on February 2<sup>nd</sup>, to make certain the applications are in line with the Town Code. Both applicants were asked to attend the Planning Commission meeting on January 26<sup>th</sup>.

**Motion:** Wayne Nickum made a motion to approve the use permit application as submitted by La Bella Luce LLC, and to send it back to the Planning Commission for review and possible feedback. Pat Layden seconded the motion, Chuck Rusnak abstained. The motion passed.

**Motion:** Wayne Nickum made a motion to approve the use permit application as submitted by The Tim Hugo Group, and to send it back to the Planning Commission for review and possible feedback. Pat Layden seconded the motion, Chuck Rusnak abstained. The motion passed.

**Motion:** Tom Peterson made a motion to authorize the funding of \$7,235 for the repairs being done by JCM Contractors on the Pink House as called for by the home inspection. Pat Layden seconded the motion, and it was unanimously approved.

**Town Records:** Wayne Nickum explained that someone from Fairfax County indicated they could find a space for the Town records where they would remain secure. This was three years ago, so if the offer still stands, that could be an option. It was agreed upon that Wayne Nickum and Deborah Dillard would be responsible determining what items or records (in accordance with State code) at the Old Hall may be destroyed or trashed.

The Town Council briefly thanked Mrs. McNamara for all the work she has done decorating the Town for the holidays. All in attendance applauded her.

**b. ARB**

Chuck Rusnak informed the Town Council that the ARB did not have a meeting.

**c. Committees**

Town Hall Committee:

Karen Arnold informed the Town Council that Donna Netschert and Royce Jarrendt resigned from the Town Hall committee. The committee also wished to request that the Town Council remove Stacy Parsons from the committee if she is not present at the next meeting. This is requested because she has not been present at the past two meetings.

**Motion:** Mike Anton made a motion to approve the changes to the Town Hall Committee member list. Pat Layden seconded the motion, and it was unanimously approved.

Karen Arnold continued, discussing internet access for the Town Hall. The Town Council agreed, as suggested by Wayne Nickum, to cancel the phone and order internet access in the building. Lastly, Mrs. Arnold brought up the discussion of people who need to gain access to the excess code to the Town Hall. They can't change the code until they know all who need it. She mentioned that she would appreciate the Town Council looking at the list and filling in the blanks of the individual people who need the access code. After much discussion, it was decided by the Town Council that the mechanical room door in the Town Hall needs to be locked at all times with a key lock box (mechanical room key included) located near the door for access by users.

**5. Citizen's Remarks**

There were no citizen's remarks.

**6. Unfinished Business**

**a. Old Town Hall**

Pat Layden presented. There are two Public Hearing's scheduled for February 2, 2010 starting at 7:00 pm. The first is a joint Public Hearing for the Town Council and Planning Commission to amend the low impact commercial district Town Code to allow residential use in that Code. The second is a Town Council Public Hearing regarding the proposed sale of the Old Town Hall property.

**Motion:** Pat Layden made a motion that the Town Council consider approving the draft amended low impact code for the February 2 joint Public Hearing, allowing residential use. Wayne Nickum seconded the motion, and it was unanimously approved.

**b. Meals Tax Ordinance (Update and scheduling of Public Hearing.)**

Pat Layden explained that at the previous Town Council meeting on December 8, 2009 it was requested that send out a copy of the draft Meals Tax to everyone on the Town Council as well as to the businesses in Town whom the Meals Tax would affect requesting their feedback. He did not receive any responses to the request for comments on the draft version. The next step is to schedule a Public Hearing in order to gain citizen input on possible adoption of the Meals Tax code.

**Motion:** Wayne Nickum made a motion to schedule a Public Hearing to discuss and receive citizen input on the Meals Tax code for March 2, 2010 at 7:30 pm. Chuck Rusnak seconded the motion, and it was unanimously approved.

c. Community Hall

Karen Arnold announced that Mrs. Margo officially resigned from the Community Hall committee.

**Motion:** Deborah Dillard made a motion that Bob Peterson is hired by the Town as Facility Manager of the Clifton Town Community Hall. His wife Mary Lee Peterson will assist Bob in his efforts. Chuck Rusnak abstained, Wayne Nickum seconded the motion, and it was approved.

Wayne Nickum noted that he saw a requirement that the Town was supposed to have the County as additional insured. As of now the Town has them as additional insured. Also, the Town Council needs to renegotiate this agreement; item number three is a big sticking point. The Town couldn't have company parties or a birthday party in the Community Hall the way it's worded. The suggested wordage on item number three was presented as a starting point for negotiations.

**Motion:** Wayne Nickum made a motion to select Tom Peterson and Deborah Dillard to work with the County on agreement changes. Pat Layden seconded the motion, and it was unanimously approved.

d. Pendleton Avenue

Tom Peterson presented. VDOT did respond, and it will take six weeks, so VDOT requested that the Town Council have letters sent to those who have driveway access on the road.

**Adjournment-**

**Motion:** Wayne Nickum made a motion to adjourn at 9:43 pm. Tom Peterson seconded the motion, and it was unanimously approved.

**The Minutes were prepared by Kathleen L. Barton, Town Clerk.**

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**Minutes approved at the 2/2/2010 Town Council Meeting**