

**CLIFTON TOWN COUNCIL MEETING
TUESDAY, OCTOBER 6, 2020, 7:30 PM
ELECTRONIC MEETING BY ZOOM
12641 CHAPEL ROAD
CLIFTON, VA 20124**

Until further notice from the Mayor of Clifton, and in accordance with the Resolution of the Town Council regarding Remote Participation by Electronic Means Policy and the Town Council Continuity of Government Methods Authorizing Remote Participation by Electronic Means Without a Physical Quorum Being Present Pursuant to Virginia Law, the Town of Clifton Town Council is holding the Meeting noticed herein electronically for the purpose of continuity of government of the Town of Clifton.

The meeting will be conducted using Zoom teleconferencing audio and video service, and connection information will be provided to members of the public to afford the opportunity to citizens to witness the operation of the Town of Clifton government. Connection information is available from, and will be provided by, the Town Clerk.

Any member of the public wishing to observe or participate in the electronic meeting **must notify the Town Clerk at clerk@cliftonva.gov in advance by Noon on the day of the meeting** in order to register for the meeting.

Any member of the public requesting to speak or make comments during the electronic meeting **must register with the Town Clerk at clerk@cliftonva.gov in advance by Noon on the day of the meeting, providing their name and address and the subject matter of their comments,** in order to have an opportunity to speak and provide comments during the meeting. Any such comments will be **limited to three (3) minutes** per speaker and priority will be given to the citizens and taxpayers of the Town of Clifton. Members of the public may also submit written comments to the Town Clerk in advance of the meeting. Any such written comments will be included in the record for the meeting, but will not be read aloud during the meeting.

Present: Mayor William Hollaway; Vice Mayor Regan McDonald; Councilmember Steve Effros; Councilmember Patrick Pline; Councilmember Darrell Poe.

Staff: Marilyn Barton, Town Treasurer; Amanda Christman, Town Clerk.

The Regular Meeting was called to order by Mayor Hollaway at 7:30 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 September 2020 Minutes as revised, seconded by Councilmember Poe. The motion was approved by poll, 5-0.**
- **Mayor Hollaway moved to reschedule next month's Regular Council Meeting to Wednesday, November 4, 2020 at 7:30 PM due to Election Day, which is set for the day before, seconded by Councilmember Effros. The motion was approved by poll, 5-0.**

2. Report of the Treasurer.

See attached report.

- **Mayor Hollaway moved to accept the Treasurer's Report as presented, seconded by Councilmember Effros. The motion was approved by poll, 5-0.**

3. Citizen's Remarks - Suggestions or complaints of citizens and taxpayers, and other persons authorized by the Mayor to address the Council.

None.

4. Reports of Committees:

a. Planning Commission.

See attached report.

- **Mayor Hollaway moved to accept the recommendations of the Planning Commission that the preliminary use permit for 12640 School Street be extended to August 31, 2021 on the same terms and conditions, seconded by Vice Mayor Effros. The motion was approved by roll-call: Hollaway: Aye; McDonald: Aye; Effros: Aye; Pline: Aye; Poe: Abstained.**
- **Mayor Hollaway moved to accept the recommendations of the Planning Commission that the preliminary use permit for 12725 Clifton Heights Lane be extended to May 31, 2021 on the same terms and conditions, seconded by Councilmember Poe. The motion was approved by poll, 5-0.**
- **Mayor Hollaway moved to accept the recommendations of the Planning Commission that a new use permit be issued to Anthony Reid & Associates, LLC for an accounting firm located at 12644 Chapel Road, Suite 113 and 210 comprising have 384 net square feet of space, with five employees total, and hours of operation of 9AM to 10 PM seven days a week, with two parking spaces to be allocated based on the additional square footage for the this commercial office use, seconded by Councilmember Pline. The motion was approved by poll, 5-0.**

The Planning Commission will contact the property owner of the building located at 12644 Chapel Road to obtain an updated parking tabulation sheet that demonstrates a complete list of tenants and their exact, respective spaces as occupied.

i. Virginia DEQ Agreement Zoning Ordinance Changes.

- **Mayor Hollaway moved to set a Joint Public Hearing by the Town Council and the Planning Commission for Wednesday, November 4, 2020 at 7:30 PM, prior to the Regular Meeting, to hear public comments on the proposed zoning ordinance changes required by the Department of Environmental Quality of the Commonwealth of Virginia (DEQ) with respect to certain provisions in the Town Code chapter 11, the Chesapeake Bay Preservation Ordinance, seconded by Councilmember Poe. The motion was approved by poll, 5-0.**

The Clerk was directed to publicly advertise the hearing as required by law.

b. Report of the Zoning Administrator.

i. Update on Residential Construction Projects.

A brief update on the status of the project at 7184 Clifton Road was provided as a supplement to the reports of the Planning Commission and ARB.

c. Architectural Review Board.

Royce Jarrendt reported on the outcome of the September 24, 2020 meeting with the owner of 7184 Clifton Road and outlined the details of how each of the cited violations will be remedied per the Preliminary COA. Once the ARB has inspected and approved the on-site construction, the Mayor will be notified that the Board has released its individual hold on the Certificate of Occupancy.

The ARB requested that the Town Council send notices to residential property owners requiring that unapproved signage be removed. It was determined that the Zoning Administrator and Chair of the ARB will work together to send the letters out seven days after election day.

Councilmember Effros noted that while enforcement of the signage code is the responsibility of the ARB, interpretation of what is considered a “campaign sign” under the code is within the province of the Town Council, not the ARB. Mayor Hollaway stated that this issue did not need to be addressed at this time since all currently displayed yard signs will be allowed to remain until the normal expiration of the “campaign sign” exception to the code for this year.

d. Update Town Commission, Board and Committee List for 2020-21.

See attached roster.

- **Mayor Hollaway moved to make the following appointments: Councilmember Pat Pline, Town Council Representative on the Planning Commission for the current term ending June 30, 2022; Vice Mayor McDonald, Town Council Representative and Liaison to the Sully District Citizens Advisory Committee Liaison and for the Parking & Traffic Committee; Councilmember Poe, Town Council Representative on the Virginia Cigarette Tax Board and the for the Clifton Homes Tour Committee; and, Councilmember Effros, Town Council Representative and Liaison to the Virginia Municipal League (VML), seconded by Councilmember Effros. The motion was approved by poll, 5-0.**

5. Unfinished Business:

a. Vacancy on Town Council – Council Appointment of New Council Member.

See attached candidate statements of interest and lists of qualifications.

Two candidates introduced themselves to the Council and spoke about their qualifications and why they want to serve on the Council. The Council remarked on the spectacular qualifications possessed by each of the individuals under consideration and noted that, although only one candidate can be appointed at this time, there will be an opportunity for both to run for a seat on the Town Council in the near future.

- **Mayor Hollaway moved to appoint Lynn Screen to fulfill the remainder of the term of the vacancy on the Town Council ending June 30, 2022, seconded by Councilmember Effros. The motion was approved by roll-call: Hollaway: Aye; Effros: Aye; McDonald: Aye; Poe: Aye; Pline: Nay.**

b. Decision on Renaming the Town Park – “Harriet and William Harris Park.”

Mayor Hollaway briefly summarized the collective efforts made to gather the history of the park land and the previous discussions held on the matter. Councilmember Effros added that an effort to develop appropriate signage will be an upcoming part of the process.

- **Mayor Hollaway moved to rename the Clifton Town Park to “Harriet and William Harris Park,” seconded by Councilmember Poe. The motion was approved by roll-call: Hollaway: Aye; Effros: Aye; McDonald: Aye; Poe: Aye; Pline: Aye.**

During further discussion after the vote, it was determined that a Resolution to memorialize the park renaming should be drafted, and Vice Mayor McDonald added that a formal dedication ceremony should be held in the future, the specific date of which is to be determined.

c. Proposed Expenditures for Safety Grant.

See attached material and price quotes.

- **Councilmember Poe moved to approve the expenditure of up to \$500 on COVID-19 safety items to include two standing hand sanitizer dispensers, two cases of hand sanitizer refills, a quantity of masks, and any signage that may be appropriate to direct physical distancing and other safety measures in the Community Meeting Hall, seconded by Mayor Hollaway. The motion was approved by roll-call: Hollaway: Aye; Effros: Aye; McDonald: Aye; Poe: Aye; Pline: Aye.**

d. Natural Landscaping Resolution for Town-Controlled Properties - Status.

An update will be provided at the November Council Meeting.

e. Additional Compensation for Staff for COVID-19 Related Work.

i. COVID-19 Response Coordinator Position.

ii. COVID-19 Financial Administrator Position.

- **Mayor Hollaway moved to appoint Amanda Christman to serve as the COVID-19 Response Coordinator and Marilyn Barton to serve as the COVID-19 Financial Administrator, seconded by Councilmember Poe. The motion was approved by roll-call: Hollaway: Aye; Effros: Aye; McDonald: Aye; Poe: Aye; Pline: Aye.**

Staff was directed to submit all recorded hours by November, including December projections, at which time the hourly compensation rates could be determined for the incremental work.

6. New Business.

a. Add Civil Penalty Option to Zoning Ordinance.

See attached civil penalty example as proposed.

The proposal to collaborate on adding a civil penalty option to the Town's zoning ordinance was introduced and generally discussed during the report of the Planning Commission. An update on progress with additional details will be presented at the November Town Council meeting.

7. Adjournment.

- **Councilmember Poe moved to adjourn, seconded by Councilmember Effros. The motion was approved by Roll-call unan.**

The Meeting was adjourned at 9:31 PM.



Clifton Clerk <clerk@cliftonva.gov>

Oct 6, 2020 Town Council Meeting - Treasurer's Report for period ended September 30, 2020

treasurer@cliftonva.gov <treasurer@cliftonva.gov>

Sun, Oct 4, 2020 at 6:41 PM

To: William Hollaway <whollaway@cliftonva.gov>, Steve Effros <Steve@effros.com>, Regan McDonald <rmcdonald@cliftonva.gov>, Melissa Milne <mmilne@cliftonva.gov>, Pline Pat <ppline@cliftonva.gov>, Darrell Poe <dpoe@cliftonva.gov>

Cc: Clifton Clerk <clerk@cliftonva.gov>, "Barton, Marilyn" <mbarton@mycri.org>

Hello Town Council Members,

Attached are the **Financial Reports for the fiscal year period ended September 30, 2020.**

The September 2020 Financial Reports include:

- The Summary of **Cash Balances Report as of September 30, 2020** reflects total funds of \$1,324,612.47. *See the detailed Cash Balance Report.*
- **Profit & Loss Summary by Fund** for period ended 09/30/2020. **Highlights of September transactions** are noted on this summary report. The main items for the month include:

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: In FY20 the town received \$51,433 in Federal COVID-19 funding through Fairfax County. The Town is a subrecipient of the funding. The allocation was based upon the 2018 US Census and submitted as part of Fairfax County's application. Funding must be used for reimbursement for COVID-19 related costs incurred from March 1 - December 31, 2020. \$1,666.99 was expended and reported in FY20. The balance of \$49,766.01 is deferred to FY21. \$40,000 was allocated to the Clifton IDA that awarded grants on behalf of the town to eligible town businesses. The balance remaining to cover the town's costs is \$9,766.01. <i>See supplemental report for fiscal year-to-date COVID-19 expenses.</i>
1	Va State Fire Program Revenues: The Town received \$15,000 in State Fire Program Pass-through funds for FY21. This is \$5,000 greater than last year. A check dated 10/4/20 is issued to pass these funds on to Fairfax County Fire Dept in accordance with the agreement signed by Mayor Hollaway.
2	Interest Income: Interest was posted for 8/31/20 and for 9/30/20.
3	Other income: The Town received a payment of \$1,389.50 from Fairfax County noted as "sensitive info being held by DTA". The Treasurer has requested clarification from the County Treasurer's Office. Also reflected is reimbursement of 197.50 for replacement of Ayre Square planter.
4	Pink House Rental: Reflects \$800 rent relief to Belle Jar, LLC for July & August 2020. The rent received for Sept 2020 was the full payment of \$1600.
5	Taxes & Permits Revenue: Highlights for Sept include Virginia Car Rental Distribution of \$599.25, NVCTB Cigarette tax of \$116.75, State Communications Sales Tax of \$376.65, Sales Tax of \$2,890.63 for July 2020, and Utility Consumption Tax of \$121.38.
6	Contractual Expenses: Highlights for September include C.H. Electric expense of \$525.28 for Aug, Legal fees of \$1,875 for Aug, Railroad Siding rental of \$100, Pink House maintenance repairs in the amount of \$3,000; COVID-19 Legal fees of \$125 for Aug, COVID-19 ZOOM expenditure of \$288.66; Mowing of \$750, Trash collection of \$523.89 covering July & Aug.
7	CIF Revenue: On Aug 5 the Town received payment for the SPC invoice 13 - This will need to be accrued to FY20 - to be confirmed with auditor.
8	CIF Expense: This expense reflects capital expenditures made for HVAC replacement on the Pink House in August. The expenses will be capitalized and depreciated annually.

Supplemental Detail Reports are provided as follows:

- **CARES Act – COVID-19** supplemental report is provided to reflect the FY21 YTD expenses attributed to COVID-19 and the CARES Act funding. For July through September 2020, expenses total \$ 42,015.98, leaving a balance of \$ 7,750.03.
- **Profit & Loss Detail Export** Report for period ended 09/30/2020. This report provides the detailed accounts that are summarized on the P&L Summary by Fund Report.
- **Looking forward to October:**
- **Draft Audited Financial Statements** – are attached for the Town Council's review and approval at the Oct 6, 2020 meeting.

- **United Bank CDs maturing November 17th:** As noted on the Cash Balances Report, two of the United Bank 7 months CDs will be maturing on November 17th. A proposal will be made at the November Town Council Meeting.

After your review of the reports, if you have any questions or concerns, please let me know. If there are additional supplemental schedules that you would like to see, just let me know. *Thank you.*

Sincerely,

Marilyn

Marilyn Barton

Treasurer

Email: treasurer@cliftonva.gov


Town of Clifton


P.O. Box 309

Clifton, VA 20124-0309

www.cliftonva.gov

2 attachments

 **2020 09 30 Financial Statements.xlsx**
67K

 **Clifton-FS19-Draft.pdf**
705K

ASSETS	9/30/2020	<u>Bank Rates Effective 8/1/2020</u>		<u>Negotiated Increases</u>	
		CD Term	Maturity Date	APR %	
Current Assets					
Checking/Savings					
John Marshall Bank CDs	317,436.84	1 yr	8/1/2021	0.65%	Matured 8/1/20 New rate is down from 2.25% to .65% APR @ 8/1/20
C-.D. - United Bank - 2 7 mos CDs	217,228.18	7 mos	11/17/2020	0.75%	Down from 2.10% due to COVID-19 beginning 4/17/20
C.D. - United Bank 1	50,351.73	9 mos	12/4/2020	1.40%	Down from 2% due to COVID-19 @ 3/04/2020 J.Marshall Bank
C.D. - United Bank 2	50,351.73	9 mos	12/4/2020	1.40%	Down from 2% due to COVID-19 @ 3/04/2020 J.Marshall Bank
C.D. - United Bank 3	50,351.73	9 mos	12/4/2020	1.40%	Down from 2% due to COVID-19 @ 3/04/2020 J.Marshall Bank
C.D. - United Bank 4	50,351.73	9 mos	12/4/2020	1.40%	Down from 2% due to COVID-19 @ 3/04/2020 J.Marshall Bank
C.D. - United Bank - 4 7-month CDs	400,754.16	7 mos	12/8/2020	0.75%	Opened 5/8/2020
United Bank - Events Acct	100.00				
United Bank - Haunted Trail Account	3,430.53				
Checking-United Bank	74,418.26	Min Bal \$2,500	"Chairman's Club"	0.10%	
Investments-LGIP	979.11				
Money Market Savings-United	104,450.68		8/30/2019	1.39%	Down from 1.589% @ 7/31/18
Security Deposit - United Bank	4,407.79				
Total Checking/Savings	1,324,612.47				

NOTES: Two of the United Bank 7 month CDs will be maturing November 17th. Action will be needed at the November Town Council Meeting.

Town of Clifton Profit & Loss Budget Performance September 2020

Operating Funds:		Sep 20	Budget	Jul - Sep 20	YTD Budget	Annual Budget
Income						
1	State Funding	15,000.00	0.00	15,000.00	58,291.00	59,091.00
	Committees Fundraising	0.00	125.00	0.00	375.00	1,500.00
	Community Hall Revenues	0.00	416.67	0.00	1,250.00	5,000.00
	Haunted Trail Event	0.00	2,916.67	0.00	8,750.00	35,000.00
2	Interest Income	369.75	1,000.00	3,601.03	3,000.00	12,000.00
3	Other Income	1,389.50		1,587.00		
4	Pink House Rental	2,900.00	2,666.67	7,100.00	8,000.00	32,000.00
5	Tax and Permits Revenue	4,104.66	8,000.00	11,389.50	24,000.00	96,000.00
	Total Income	23,763.91	15,125.00	38,677.53	103,666.00	240,591.00
	Gross Profit	23,763.91	15,125.00	38,677.53	103,666.00	240,591.00
Expense						
	Bank Service Charges	2.27	0.00	2.27	0.00	0.00
	Commodities	23.75	356.67	455.17	1,070.00	4,280.00
6	Contractual	7,270.77	19,102.08	59,789.94	57,306.25	229,225.00
	Haunted Trail Expenses	0.00	1,416.67	0.00	4,250.00	17,000.00
	Payroll Expenses	5,382.50	5,561.92	16,147.50	16,685.75	66,743.00
	Total Expense	12,679.29	26,437.33	76,394.88	79,312.00	317,248.00
	Net Income	11,084.62	(11,312.33)	(37,717.35)	24,354.00	(76,657.00)
CIF FUNDS:						
CIF Income						
7	CIF - Capital Improvements Fund	0.00	36,900.00	631.51	110,700.00	442,800.00
CIF Expenses						
8	CIF Expenses	0.00	112,397.92	7,655.00	337,193.75	1,348,775.00
	Net Income - CIF Funds	0.00	(75,497.92)	(7,023.49)	(226,493.75)	(905,975.00)
	Consolidated Net Income	11,084.62	(86,810.25)	(44,740.84)	(202,139.75)	(982,632.00)

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Town of Clifton Profit & Loss Budget Performance September 2020

Operating Funds:

Sep 20	Budget	Jul - Sep 20	YTD Budget	Annual Budget
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2 **Interest Income:** Interest was posted for 8/31/20 and also for 9/30/20.

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Town of Clifton
Custom Transaction Detail Report
July through September 2020

	Type	Date	Num	Name	Memo	Account	Class	Cir	Amount	Balance
Jul 20										
	Bill	07/31/2020		United Bankcard Center -(VISA)	7/05/20 WAVE - Growth Media - COVID -mtg related-Treasurer's card	COVID-19	COVID-19		(300.00)	(300.00)
	Bill	07/31/2020		United Bankcard Center -(VISA)	7/5/20 ZOOM - COVID mtg related - Clerk's card	COVID-19	COVID-19		(288.66)	(588.66)
	Check	07/31/2020	7835	Wheelhouse Yoga, LLC	Clifton IDA - CARES Act Grant	Clifton IDA - CARES Act -Grants	COVID-19		(10,000.00)	(10,588.66)
	Check	07/31/2020	7836	Trummer's Restaurant	Clifton IDA - CARES Act Grant	Clifton IDA - CARES Act -Grants	COVID-19		(10,000.00)	(20,588.66)
	Check	07/31/2020	7837	GoldensHill Papercrafts	Clifton IDA - CARES Act Grant	Clifton IDA - CARES Act -Grants	COVID-19		(10,000.00)	(30,588.66)
	Check	07/31/2020	7838	Animal Clinic of Clifton	Clifton CARES Act Grant	Clifton IDA - CARES Act -Grants	COVID-19		(10,000.00)	(40,588.66)
Jul 20									<u>(40,588.66)</u>	<u>(40,588.66)</u>
Aug 20										
	Check	08/30/2020	7850	Maureen K. Gilmore, Attorney-at-Law	Legal Services: July 2020 - re: COVID-19 for 2.9 hrs sub recipient agreement	COVID-19	COVID-19		(725.00)	(725.00)
	Bill	08/30/2020		United Bankcard Center -(VISA)	8/1/20 ZOOM - COVID mtg related - Clerk's card	COVID-19	COVID-19		(288.66)	(1,013.66)
Aug 20									<u>(1,013.66)</u>	<u>(1,013.66)</u>
Sep 20										
	Check	09/04/2020	7855	Maureen K. Gilmore, Attorney-at-Law	Legal Services: Aug 2020 - re: COVID-19 for .5 hrs Wage reimb	COVID-19	COVID-19		(125.00)	(125.00)
	Bill	09/30/2020		United Bankcard Center -(VISA)	9/1/20 ZOOM - COVID mtg related - Clerk's card	COVID-19	COVID-19		(288.66)	(413.66)
Sep 20									<u>(413.66)</u>	<u>(413.66)</u>
TOTAL									<u>(42,015.98)</u>	<u>(42,015.98)</u>

Town of Clifton
Profit & Loss Budget Performance
September 2020

	A	B	C	D	E	F	G	H	I	J	K	L	M
1													
2									Sep 20	Budget	Jul - Sep 20	YTD Budget	Annual Budget
3			Income										
4			State Funding										
5					Fire Program Funds			15,000.00	0.00	15,000.00	0.00	0.00	
6					State Funding - Other			0.00	0.00	0.00	0.00	0.00	
7					Total State Funding			15,000.00	0.00	15,000.00	0.00	0.00	
8					CIF - Capital Improvements Fund								
9					Grants								
10					Federal								
11						ISTEA-Clifton Streetscape		0.00	0.00	0.00	0.00	0.00	
12						Total Federal		0.00	0.00	0.00	0.00	0.00	
13						VDOT- MAP21 Streetscape Phase 2		0.00	0.00	631.51	0.00	0.00	
14						Total Grants		0.00	0.00	631.51	0.00	0.00	
15						Total CIF - Capital Improvements Fund		0.00	0.00	631.51	0.00	0.00	
16						Committees Fundraising							
17						Homes Tour Income		0.00	0.00	0.00	0.00	0.00	
18						Council of the Arts							
19						Clifton Film Festival		0.00	0.00	0.00	0.00	0.00	
20						Total Council of the Arts		0.00	0.00	0.00	0.00	0.00	
21						Parks Committee							
22						Park Rental		0.00	0.00	0.00	0.00	0.00	
23						Total Parks Committee		0.00	0.00	0.00	0.00	0.00	
24						Total Committees Fundraising		0.00	0.00	0.00	0.00	0.00	
25						Community Hall Revenues							
26						Community Hall Rentals		0.00	0.00	0.00	0.00	0.00	
27						Total Community Hall Revenues		0.00	0.00	0.00	0.00	0.00	
28						General Donations		0.00	0.00	0.00	0.00	0.00	
29						Haunted Trail Event		0.00	0.00	0.00	0.00	0.00	
30						Interest Income		369.75	0.00	3,601.03	0.00	0.00	
31						Other Income		1,389.50		1,587.00			
32						PC - Reimbursements		0.00	0.00	0.00	0.00	0.00	
33						Pink House Rental		2,900.00	0.00	7,100.00	0.00	0.00	
34						Tax and Permits Revenue							
35						VA - Car Rental Distribution		599.25	0.00	1,397.44	0.00	0.00	
36						ARB Permits		0.00	0.00	20.00	0.00	0.00	
37						BPOL tax		0.00	0.00	2,685.26	0.00	0.00	
38						BZA Fee		0.00	0.00	0.00	0.00	0.00	
39						Cigarette Tax		116.75	0.00	364.47	0.00	0.00	
40						Communications Sales Tax -Va		376.65	0.00	1,171.06	0.00	0.00	
41						Franchise Fees - Cox & Verizon		0.00	0.00	529.44	0.00	0.00	
42						Motor Vehicle Tags		0.00	0.00	399.84	0.00	0.00	
43						Railroad Tax		0.00		1,562.12			
44						Sales Tax		2,890.63	0.00	2,890.63	0.00	0.00	
45						Use Permits		0.00	0.00	150.00	0.00	0.00	
46						Utility Consumption Tax		121.38	0.00	219.24	0.00	0.00	
47						Total Tax and Permits Revenue		4,104.66	0.00	11,389.50	0.00	0.00	
48						Total Income		23,763.91	0.00	39,309.04	0.00	0.00	
49						Gross Profit		23,763.91	0.00	39,309.04	0.00	0.00	
50						Expense							
51						Citizens' Recognition Expense		0.00	0.00	0.00	0.00	0.00	
52						Bank Service Charges		2.27	0.00	2.27	0.00	0.00	

Town of Clifton
Profit & Loss Budget Performance
September 2020

	A	B	C	D	E	F	G	H	I	J	K	L	M
1													
2									Sep 20	Budget	Jul - Sep 20	YTD Budget	Annual Budget
53								CIF Expenses					
54								Pink House Upgrade & Maint	0.00		7,655.00		
55								Special Projects Committee					
56								Dev. of Streetscape Phase 2	0.00	0.00	0.00	0.00	0.00
57								Total Special Projects Committee	0.00	0.00	0.00	0.00	0.00
58								Total CIF Expenses	0.00	0.00	7,655.00	0.00	0.00
59								Commodities					
60								Office Equipment	0.00	0.00	0.00	0.00	0.00
61								Computer Supplies	0.00	0.00	82.93	0.00	0.00
62								Copies	0.00	0.00	0.00	0.00	0.00
63								Miscellaneous - Commodities	0.00	0.00	0.00	0.00	0.00
64								Office Supplies	0.00	0.00	37.61	0.00	0.00
65								Postage and Delivery	23.75	0.00	334.63	0.00	0.00
66								Total Commodities	23.75	0.00	455.17	0.00	0.00
67								Contractual					
68								Fire Program	0.00	0.00	0.00	0.00	0.00
69								Caboose Expenses					
70								Caboose Equipment	0.00	0.00	0.00	0.00	0.00
71								Caboose Maintenance	0.00	0.00	0.00	0.00	0.00
72								Total Caboose Expenses	0.00	0.00	0.00	0.00	0.00
73								Community Hall Expenses					
74								C.H.-Cleaning	0.00	0.00	75.00	0.00	0.00
75								C.H.-Equipment & Supplies	0.00	0.00	0.00	0.00	0.00
76								C.H.-General Maintenance	0.00	0.00	0.00	0.00	0.00
77								C.H.-Management Fee	0.00	0.00	0.00	0.00	0.00
78								C.H. - Electric	525.28	0.00	733.02	0.00	0.00
79								C.H. Interior Improvements	0.00	0.00	0.00	0.00	0.00
80								Total Community Hall Expenses	525.28	0.00	808.02	0.00	0.00
81								Dues and Subscriptions					
82								Conference Attendance	0.00	0.00	0.00	0.00	0.00
83								Va. Municipal League	0.00		408.00		
84								Dues and Subscriptions - Other	0.00	0.00	0.00	0.00	0.00
85								Total Dues and Subscriptions	0.00	0.00	408.00	0.00	0.00
86								Insurance	0.00		5,394.00		
87								Legal Advertising	0.00	0.00	0.00	0.00	0.00
88								Mayoral Reimbursement	0.00	0.00	0.00	0.00	0.00
89								Miscellaneous	0.00	0.00	0.00	0.00	0.00
90								Professional Fees					
91								Legal Fees	1,875.00	0.00	3,025.00	0.00	0.00
92								Total Professional Fees	1,875.00	0.00	3,025.00	0.00	0.00
93								Rent					
94								Railroad Siding Rental	100.00		100.00		
95								Total Rent	100.00		100.00		
96								Town Assoc of Northern Va Event	0.00	0.00	0.00	0.00	0.00
97								Town Facilities					
98								Ayre Square Maintenance	0.00	0.00	0.00	0.00	0.00
99								Pink House Expenses					
100								Pink House Maintenance	3,000.00	0.00	4,000.00	0.00	0.00
101								Pink House Repairs	0.00		227.00		
102								Total Pink House Expenses	3,000.00	0.00	4,227.00	0.00	0.00

Town of Clifton
Profit & Loss Budget Performance
September 2020

	A	B	C	D	E	F	G	H	I	J	K	L	M
1													
2									Sep 20	Budget	Jul - Sep 20	YTD Budget	Annual Budget
103								Town Handyman - 1099 vendor	0.00	0.00	0.00	0.00	0.00
104								Total Town Facilities	3,000.00	0.00	4,227.00	0.00	0.00
105								Town Government					
106								Clifton IDA - CARES Act -Grants	0.00		40,000.00		
107								COVID-19	413.66		2,015.98		
108								Architectural Review Board	0.00	0.00	0.00	0.00	0.00
109								Beautification Comm.					
110								Banner Replacement	0.00		245.00		
111								Total Beautification Comm.	0.00		245.00		
112								BZA	0.00	0.00	0.00	0.00	0.00
113								Planning Commission					
114								Consulting-Capital/Town & Zng	0.00	0.00	0.00	0.00	0.00
115								General Admin Costs	0.00	0.00	0.00	0.00	0.00
116								General Consulting	0.00	0.00	0.00	0.00	0.00
117								PC Hearings, Ads and copies	0.00	0.00	0.00	0.00	0.00
118								Total Planning Commission	0.00	0.00	0.00	0.00	0.00
119								Town Committees Expense					
120								Communication Committee					
121								Web Server Maint & Domain Subsc	0.00	0.00	0.00	0.00	0.00
122								Web site updating & config	0.00	0.00	0.00	0.00	0.00
123								Communication Committee - Other	0.00	0.00	0.00	0.00	0.00
124								Total Communication Committee	0.00	0.00	0.00	0.00	0.00
125								Council for the Arts Committee					
126								Clifton Film Festival Exp	0.00	0.00	0.00	0.00	0.00
127								Total Council for the Arts Committee	0.00	0.00	0.00	0.00	0.00
128								Environmental Comm					
129								Environmental Event Expense	0.00	0.00	0.00	0.00	0.00
130								Total Environmental Comm	0.00	0.00	0.00	0.00	0.00
131								Historic Preservation Comm Exp					
132								Historic Town Documents exp	0.00	0.00	0.00	0.00	0.00
133								Town Museum	0.00	0.00	0.00	0.00	0.00
134								Historic Preservation Comm Exp - Other	0.00	0.00	0.00	0.00	0.00
135								Total Historic Preservation Comm Exp	0.00	0.00	0.00	0.00	0.00
136								Sunshine Committe					
137								Easter Egg Hunt Expense	0.00	0.00	0.00	0.00	0.00
138								Total Sunshine Committe	0.00	0.00	0.00	0.00	0.00
139								Town Parks Committee Exp					
140								Landscape/Ground Maint expense	0.00	0.00	0.00	0.00	0.00
141								Fall Zone Mulching	0.00	0.00	0.00	0.00	0.00
142								Grounds Maintenance	0.00		700.00		
143								Parks Mgt Fee	0.00	0.00	0.00	0.00	0.00
144								Playground Equip. Maintenance	0.00	0.00	0.00	0.00	0.00
145								Tree Trimming & Replacement	0.00	0.00	0.00	0.00	0.00
146								Total Town Parks Committee Exp	0.00	0.00	700.00	0.00	0.00
147								Total Town Committees Expense	0.00	0.00	700.00	0.00	0.00
148								Total Town Government	413.66	0.00	42,960.98	0.00	0.00
149								Town Services					
150								Elections	0.00	0.00	0.00	0.00	0.00
151								Grass Mowing	750.00	0.00	1,950.00	0.00	0.00
152								Town Park Lawn Maintenance	0.00	0.00	0.00	0.00	0.00

Town of Clifton
Profit & Loss Budget Performance
September 2020

	A	B	C	D	E	F	G	H	I	J	K	L	M
1													
2									Sep 20	Budget	Jul - Sep 20	YTD Budget	Annual Budget
153								Trash Collection	523.89	0.00	765.91	0.00	0.00
154								Utilities					
155								Gas and Electric	82.94	0.00	151.03	0.00	0.00
156								Total Utilities	82.94	0.00	151.03	0.00	0.00
157								Total Town Services	1,356.83	0.00	2,866.94	0.00	0.00
158								Total Contractual	7,270.77	0.00	59,789.94	0.00	0.00
159								Haunted Trail Expenses	0.00	0.00	0.00	0.00	0.00
160								OTHER - TC approval req'd +\$500	0.00	0.00	0.00	0.00	0.00
161								Other Expenses	0.00	0.00	0.00	0.00	0.00
162								Payroll Expenses					
163								Gross Wages					
164								Assistant Project Manager	333.34	0.00	1,000.02	0.00	0.00
165								Town Clerk (Administrative)	1,166.66	0.00	3,499.98	0.00	0.00
166								Town Clerk - Records Review	1,000.00	0.00	3,000.00	0.00	0.00
167								Town Treasurer	2,000.00	0.00	6,000.00	0.00	0.00
168								Zoning Clerk	500.00	0.00	1,500.00	0.00	0.00
169								Total Gross Wages	5,000.00	0.00	15,000.00	0.00	0.00
170								Payroll Taxes					
171								FICA	310.00	0.00	930.00	0.00	0.00
172								Medicare	72.50	0.00	217.50	0.00	0.00
173								Payroll Taxes - Other	0.00	0.00	0.00	0.00	0.00
174								Total Payroll Taxes	382.50	0.00	1,147.50	0.00	0.00
175								Total Payroll Expenses	5,382.50	0.00	16,147.50	0.00	0.00
176								Total Expense	12,679.29	0.00	84,049.88	0.00	0.00
177								Net Income	11,084.62	0.00	(44,740.84)	0.00	0.00

PLANNING COMMISSION REPORT for September meeting on October 5, 2020
Present: Kathy Kalinowski, Michelle Stein, Terry Winkowski, Susan Yantis;
Absent: Mac Arnold and Jennifer Heilmann

1. The Planning Commission reviewed a request for an extension of the preliminary use permit issued for construction of a rear corner of the house with respect to two walls and a roof and stairs of approximately 85 square feet on August 7, 2018 to Darrell Poe at 12604 School Street in Clifton. Construction is fairly complete except for siding, window and door installation. Applicant is experiencing contractor problems, and has requested that the preliminary use permit be extended until August 31, 2021. The Planning Commission recommends that the preliminary use permit be extended to August 31, 2021 on the same terms and conditions.
2. The Planning Commission reviewed a request for an extension of a preliminary use permit dated April 3, 2018 from Reed Hall of 12725 Clifton Heights Lane. The preliminary use permit authorized construction pursuant to an approved plan of development of a pool, retaining walls, deck, fence and patio which together comprises in excess of 10,000 square feet of land disturbance. The applicant states everything is completed except for the pool railing and the heater for the pool and gas line hook up to the heater, and until this is completed the pool permit from Fairfax County cannot be obtained. Applicant expects to get the pool finalized by early spring. Applicant has explained that he has had numerous delays due to gas hook up and various pool issues and requests and extension until May 31, 2021 for the preliminary use permit upon the same terms and conditions. The Planning Commission recommends that the extension be granted.
3. The Planning Commission had at its August, 2020 meeting reviewed the use permit application of Anthony Reid for an accounting firm located at 12644 Chapel Road, Suite 113 and 210. Both Suites together have 384 net square feet of space, there are five employees total, and the hours of operation are 9AM to 10 PM seven days a week. Mr. Reid currently has a use permit for a commercial use at these premises for Suite 113 for his business with the allocation of one parking space. However, Mr. Reid's expansion into Suite 210 would require the allocation of an additional parking space for a total of two parking spaces based on the additional square footage for the this commercial office use (1 parking space for every 220 net square feet of space). At that time, since the parking tabulation for this property had shown a total of 63 on site parking space, and 65 spaces as allocated, the Planning Commission did not recommend this application for approval of Mr. Reid's office expansion until additional parking spaces become available on site, and the Town Council at its September meeting agreed. Since that time, Wheelhouse Yoga has departed the premises thus freeing up additional parking spaces to be allocated. Therefore the Planning Commission at this time recommends this use permit upon the terms set forth therein with the allocation of two parking spaces for approval.
4. The Planning Commission discussed the present situation of the construction at 7184 Clifton Road which includes besides ARB violations, apparently a

regrading of the lot with respect to the installation of retaining walls that is different from the approved plan of development. The Planning Commission recommends that the Town promptly notify the owner that before he sells the home,(which closing is apparently scheduled for October 7, 2020), he will need to have his new plans reviewed by the Town and will also be responsible for all costs and engineering fees incurred by Town as a result of this review; and that until this is successfully resolved, the Town will oppose the issuance of a Certificate of Occupancy by Fairfax County for these premises.

5. The Planning Commission recommends that the public hearing be held as soon as possible on the changes required by the Department of Environmental Quality of the Commonwealth of Virginia (DEQ) with respect to certain provisions in our Town Code chapter 11, the Chesapeake Bay Preservation Ordinance.

6. The Planning Commission has received a draft of a revision to the Town Code enforcement provisions in Chapter 9 and hopes to complete review by its October 2020 meeting.

CLIFTON TOWN COUNCIL, COMMISSIONS, BOARDS & COMMITTEES

2020-2022

	Term Expires		Term Expires
<u>TOWN COUNCIL</u>		<u>TOWN OFFICIALS</u>	
William (Bill) R. Hollaway, Mayor	06-30-22	Town Attorney: Maureen Gilmore	06-30-22
Regan McDonald, Vice Mayor		Town Clerk: Amanda Christman	06-30-22
Patrick Pline, Council		Zoning Clerk: Amanda Christman	06-30-22
Lynn Screen, Council		Town Treasurer: Marilyn Barton	06-30-22
Darrell D. Poe, Council			
Steve Effros, Council		<i>Dual signature for checks/Single for transfers between Town Accounts.</i>	
<u>PLANNING COMMISSION (4-YEAR TERMS)</u>		Town Treasurer: Marilyn Barton	06-30-22
Kathy Kalinowski, Chair	01-04-21	Patrick Pline, Councilmember	06-30-22
Patrick Pline, Town Council Representative	06-30-22	William (Bill) Hollaway, Mayor	06-30-22
Terri Winkowski	06-30-23		
Jennifer Heilmann	02-01-21	<u>TOWN HALL MANAGER</u>	
Susan Yantis	06-06-24	Darrell Poe, Manager & Reservationist & Town Council Representative	6-30-22
Michelle Stein	06-30-24		
Mac Arnold	07-11-24	<u>TOWN PARKS MANAGER</u>	
<u>BOARD OF ZONING APPEALS (5-YEAR TERMS)</u>		Donna Netschert, Parks Reservationist	6-30-22
(3, 5 or 7 Members)	03-01-21	Regan McDonald, Town Council Representative	6-30-22
Brant Baber, Chair			
VACANT	07-01-24	<u>GOVERNMENTAL LIAISONS</u>	
Marilyn Stoney	07-01-25	<u>FAIRFAX COUNTY ATHLETIC COUNCIL</u>	
William Ridenour	03-04-22	Jeff Stein	
Jeff Stein	03-04-23	<u>SULLY DISTRICT CITIZENS ADVISORY COMMITTEE LIAISON</u>	
<u>ARCHITECTURAL REVIEW BOARD</u>		Regan McDonald, Town Council Representative	
(5 or 7 Members)		<u>VML LIAISON</u>	
Royce Jarrendt, Chair	06-30-21	Stephen Effros, Town Council Representative	
Regan McDonald, Town Council Representative	06-30-21	<u>FAIRFAX COUNTY FIRE LIAISON</u>	
Phyllis Lovett	06-30-21	Darrell Poe, Town Council Representative	
Geri Yantis	06-30-21	6-30-22	
Phoebe Peterson	06-30-21	<u>VIRGINIA CIGARETTE TAX BOARD</u>	
Jeff Stein	06-30-21	Darrell Poe, Town Council Representative	
Diane Dygve	06-30-21	6-30-22	
<u>Industrial Development Authority</u>		<u>SPECIAL PROJECTS COMMITTEE</u>	
Brant Baber, Chair	03-04-23	Susan Yantis, Chair	
Sarah Nitz, Director	03-04-22	Bill Ference	
Steve Effros, Director	03-04-22	Rick Layfield	
Wayne Nickum, Director	03-04-22	Rick Peterson	
Jeff Stein	03-04-22	Regan McDonald, Town Council Representative	
William Ridenour	03-04-22	6-30-22	
James Chesley	03-04-24	Geri Yantis	
		Doug Miller	

ADHOC COMMITTEES:

NOISE COMMITTEE

Kathy Kalinowski

Steve Effros

Jennifer Heilmann

Darrell Poe, Town Council Representative 6-30-22

CLIFTON BUSINESS COALITION

Business Representatives (Businesses in Clifton may each have one representative)

Sean McNamara, Co-Chair

Darrell Poe

Stephen Effros, Town Council Representative 6-30-22

COMMUNICATION COMMITTEE

Jay Davis

Michelle Stein

Amanda Christman

6-30-22

Erich Russek-Robbins

Darrell Poe, Town Council Representative 6-30-22

COMMITTEE ON THE ENVIRONMENT

Laura Stephens McDonald, Chair

Michelle Stein

Mark Khosravi

Regan McDonald

Regan McDonald, Town Council Representative 6-30-22

CLIFTON TRAILS COMMITTEE

Mark Khosravi, Chair

HAUNTED TRAIL COMMITTEE

Esther Pline, Co-Chair

Sydney Sawyer, Co-Chair

Jeff Harper

Darrell Poe, Town Council Representative 6-30-22

Witches & Warlocks of Clifton

CLIFTON CANDLELIGHT CHRISTMAS

HOMES TOUR COMMITTEE

Darah Curran, Chair

Darrell Poe, Town Council Representative 6-30-22

TOWN PARKS COMMITTEE

6-30-22

Adj. Prop. Owners (*one resident vote per parcel*)

Donna Netschert, Chair

Arlene Posner

Jeff Sealy

Ginny Keen

Dwayne Nitz

Ester Pline

Council For The Arts

Darrell Poe, Chair & Town Council Representative 6-30-22

Alexia Poe

Joanna Ormisher

Chuck Rusnak, Art Guild Liaison

HISTORIC PRESERVATION COMMITTEE

Margo Khosravi, Chair

Diane Dygve

Mark Khosravi

Darrell Poe

Jan Schneiderman

Wayne Nickum

Chuck Rusnak

William (Bill) Hollaway, Town Council Representative 6-30-22

Jay Tennent

PARKING & TRAFFIC COMMITTEE

Regan McDonald, Town Council Representative 6-30-22

Chase Hinderstein

Kimberly El Boury

Amine El Boury

Jim Chesley

Jennifer Chesley

Lorena Saldivar

Lynn Screen

Eileen Fulk

PINK HOUSE MAINTENANCE

William (Bill) Hollaway, Chair

Regan McDonald, Town Council Representative 6-30-22

HOLIDAY TREE LIGHTING EVENT

Darrell Poe, Town Council Representative 6-30-22

TOWN EVENTS COMMITTEE

Darrell Poe, Town Council Representative 6-30-22

Town Parks Committee, cont'd

6-30-22

Laura McDonald

Regan McDonald, Town Council Representative 6-30-22

Adam Cirigliano

Steve Bittner

Wayne Nickum



Clifton Clerk <clerk@cliftonva.gov>

Fwd: Sanitizer stand and gallon sanitizer to fill it

1 message

Darrell Poe <dpoe@cliftonva.gov>

Tue, Sep 29, 2020 at 1:15 PM

To: Melissa Milne <mmilne@cliftonva.gov>, Pat Pline <ppline@cliftonva.gov>, Regan McDonald <rmcdonald@cliftonva.gov>, Stephen Effros <seffros@cliftonva.gov>, William Hollaway <whollaway@cliftonva.gov>
Cc: Clifton Clerk <clerk@cliftonva.gov>, Clifton Treasurer <treasurer@cliftonva.gov>

Team,

Below are recommendations from our Guernsey rep on sanitizer stations. We can discuss in the meeting next week.

 $\$140 \times 2 \text{ stands} = \$280 + \$115 \text{ (case of sanitizer)} = \395

That leaves a few extra grant dollars on the table - we could purchase additional sanitizer or a third stand - or a case of masks. We would only be reimbursed up to the \$500 mark as I understand it.

D

----- Forwarded message -----

From: **WILLIAM MIKELL**

Subject: Sanitizer stand and gallon sanitizer to fill it

To: Darrell Poe

Hello again Darrell. Below is the sanitizing station (stand and refills) that we currently have in stock. The stand shown, product ALP 430LS, is refilled using the gallon refill also shown below, product TGH S1G. (It can also be refilled using any size sanitizer bottle). The stand is 139.46 each and the case of four gallon refills is approximately 115.00 per case. It also requires 4 each C size batteries. Hope this helps and please let me know if you have any questions, or would like more information on any other of our Covid related products. Thanks again.


Gig Mikell
Senior Account Manager

Guernsey, Inc.
[45070 Old Ox Road, Dulles, VA 20166](https://www.guernsey.com)
direct: 703.788.3227 | fax: 703.689.2809
Ken Wilcox, CSR | 703.788.3260



Product Details



 Alpine
**Alpine Bulk Hand Sanitizer Stand and
Dispenser for Liquid/Gel Sanitizer**

Item Number: ALP430LS

- Free standing hand sanitizer stand
- Touch Free dispensing of Liquid or Gel sanitizer (Not compatible with Foam)
- Requires 4-C Batteries



 Images Gallery

 Chromo Labs
**Chromo Labs Gallon USA Made 70%
Alcohol Pump Hand Sanitizer, 4/CS**

Item Number: GOPGALPUMPSAN

- Made in the USA, Made in Colorado
- 70% USP Grade Ethyl Alcohol
- Gallon pump bottle, sold by the case of 4

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Article XVII. - ENFORCEMENT, VIOLATIONS AND REMEDIES

Sec. 78-170. - Enforcement, violations and remedies.

The following sections contain provisions for enforcement of zoning regulations, remedies for violations and penalties for unresolved violations.

Sec. 78-170.1. - Generally.

- (a) *Purpose and intent* . This section establishes procedures through which the town seeks to ensure compliance with the provisions of this chapter and obtain corrections for chapter violations. It also sets forth the remedies and penalties that apply to violations of this chapter. The provisions of this section are intended to encourage the voluntary correction of violations, where possible.
- (b) *Compliance required* . Compliance with all provisions of this chapter is required. It shall be unlawful for any person to construct, reconstruct, alter, demolish, change the use of, or occupy any land, building, or other structure within the town in violation of this chapter.
- (c) *Permits required* . All persons, firms, and corporations shall obtain all permits required by the town prior to commencing any use or building within the town.
- (d) *Responsible persons* . Any person who violates this chapter shall be subject to the remedies and penalties set forth in this article.

Sec. 78-170.2. - Enforcement, generally.

- (a) *Responsibility for enforcement of zoning provisions* . The zoning administrator shall enforce this chapter. The zoning administrator shall be provided with the assistance of such other persons as the town manager may direct.
- (b) *Notice of violations* . When the zoning administrator finds that any activity, building, structure, or land is in violation of this chapter, the zoning administrator shall notify, in writing, the person violating this chapter, as follows:
 - (1) *Content of notice* . Such notification shall indicate the nature of the violation, order the necessary action to abate the violation, give a deadline for correcting the violation, and include an indication of the applicable appeal fee and a reference to where other information regarding the appeal process may be obtained regarding the filing of the appeal to the board of zoning appeals.
 - (2) *Fee* . The fee for filing an appeal shall not exceed the costs of advertising the appeal for public hearing and reasonable costs.
 - (3) *Limitation on penalty during appeal process* . Any civil penalty for appealed violations of the zoning ordinance shall not accrue or be assessed during the pendency of the period in which to file an appeal to the board of zoning appeals.
 - (4) *Action by zoning administrator* . If a violation is not corrected within a reasonable period as provided in the notification, the zoning administrator shall take appropriate action to correct and abate the violation and to ensure compliance with this chapter. He or she shall take any other action authorized by law to ensure compliance with or to prevent violation of its provisions.
- (c) *Complaints regarding violations* . Whenever a violation of this chapter occurs, or is alleged to have occurred, any person may file a written or oral complaint. Such complaint shall state fully the alleged violation and the basis thereof, and shall be filed with the zoning administrator, who shall record the complaint. The zoning administrator shall promptly cause the complaint to be investigated, and action taken to abate or correct the violation.
- (d) *Inspections to ensure compliance* . Upon presentation of proper credentials, the zoning administrator may enter any building, structure, land, or premises to ensure compliance with the provisions of this chapter.

Sec. 78-170.3. - Types of violations.

- (a) *Violations, generally* . The following constitute general violations of this chapter:

- (1) *Compliance failure* . Any failure to comply with a requirement, standard, prohibition, or limitation imposed by this chapter, or the terms or conditions of any permit or other development approval or authorization granted pursuant to this chapter, shall constitute a violation of this chapter.
 - (2) *Noncompliance with permit* . Permits issued on the basis of plans and applications approved by the town council, planning commission, board of zoning appeals, heritage preservation review board, zoning administrator, or other officials or agencies where additional approval is required, authorize the use, arrangement, alteration, location, and construction set forth in such permits and development approvals, and no other use, arrangement, alteration, location, or construction.
 - (3) *Unauthorized development* . Development, use, arrangement, location, or construction at variance with that authorized shall be deemed violations of this chapter, punishable as provided in this section.
- (b) *Specific violations* . In addition to the offenses listed in Table 78-170.4(a)(5), it shall be a violation of this chapter to do any of the following:
- (1) *Unauthorized activity* . Construct, reconstruct, alter, demolish, change the use of, or occupy any building, structure, or sign, or to engage in development or subdivision of any land in contravention of this chapter, including the conditions and terms of required permits and development approvals.
 - (2) *Unauthorized land disturbance* . Excavate, grade, cut, clear, or undertake any other land disturbing activity contrary to the requirements of this chapter without first obtaining all approvals required by this chapter or other applicable regulations.
 - (3) *Unauthorized change in nonconformity* . Create, expand, replace, or change any nonconformity except in compliance with this chapter.
 - (4) *Noncompliance with development standards* . Reduce or diminish the lot area, setbacks, buffers, or open space below the minimum required by this chapter.
 - (5) *Unauthorized increase in density/intensity* . Increase the intensity or density of use of any land or structure except in accordance with the requirements of this chapter.
 - (6) *Development without required permit* . Construct, reconstruct, alter, demolish, change the use of or occupy any land, building, or other structure without first obtaining the appropriate permit or permit approval, or without complying with the terms and conditions of the permit or approval required to engage in such activity.
 - (7) *Failure to comply with terms of approval* . Fail to comply with any terms, conditions, or limitations placed by the town council, planning commission, board of zoning appeals, heritage preservation review board, or zoning administrator upon any development approval, including designation of a planned development (PD) zoning district classification and preliminary PD plan, special exception, variance, administrative adjustment, certificate of appropriateness, sign permit, temporary use permit, zoning inspection permit, zoning appropriateness permit, site plan, single lot development plan, building location plan, final PD plan, final plat for minor subdivision, preliminary plat for subdivision, final plat for subdivision, site grading permit, excavation permit, street name or name change, or other form of authorization.
 - (8) *Lapse in sign permit* . Fail to remove any sign installed, created, erected, or maintained in violation of this chapter, or for which the sign permit has lapsed.
 - (9) *Noncompliance with certificate of appropriateness* . Fail to comply with a certificate of appropriateness, which shall include the discontinuance of work or lack of progress toward achieving compliance with a certificate of appropriateness for a period of six months.
 - (10) *Unauthorized dwellings* . Establish any unauthorized dwelling units as described in section 78-71.1(d)(3).

Sec. 78-170.4. - Penalties, fines and remedies for violations.

(a) *Penalties, fines and remedies for civil violations* .

- (1) *Penalties and fines* . Except as provided in subsections (2) and (3) below, any person, firm or corporation who as the owner of any land, building or structure, or the agent thereof having possession or control of such property as employee, lessee, tenant, architect, builder, contractor or otherwise, who permits, assists in or attempts any violation of this chapter, whether by act or omission, shall be liable for a civil penalty for each individual offense described in Table 78-170.4(a)(5): Summary Table of Common Civil Violations. All civil violations shall be punishable by a fine of \$200.00 for the initial violation and \$500.00 for each additional violation of the same ordinance section.
- (2) *Cumulative penalties* . Each day during which the violation is found to have existed shall constitute a separate offense. However, specific violations arising from the same operative set of facts shall not be charged more frequently than once in any ten-day period and a series of specified violations arising from the same operative set of facts shall not result in civil penalties which exceed a total of \$5,000.00.
- (3) *Criminal action* . Designation of a particular violation of this chapter for a civil penalty pursuant to this section shall be in lieu of criminal sanctions, and except for any violations resulting in injury to persons such designation shall preclude the prosecution of violation as a criminal misdemeanor, provided however, that when such civil penalties total \$5,000.00 or more, the violation may be prosecuted as a criminal misdemeanor.
- (4) *Limitations* . No provision in this section shall be construed to allow the imposition of civil penalties (i) for activities related to land development or, (ii) for violation of any provision of this chapter relating to the posting of signs on public property or public rights-of-way.
- (5) *Summary table of common civil violations and fines.*

TABLE 78-170.4(a)(5): SUMMARY OF COMMON CIVIL VIOLATIONS AND PENALTIES		
OFFENSE	Penalty for Initial Summons (in \$)	Penalty for Each Additional Summons (in \$)
Establishing a prohibited use (except the conduct of an un-permitted boarding house, un-permitted rooming house, un-permitted inn, or of an un-permitted transient lodging business)	200.00	500.00
Failure to obtain Zoning Appropriateness Permit	200.00	500.00
Failure to obtain Zoning Inspection Permit	200.00	500.00
Violation of home based business use-specific standards	200.00	500.00
Failure to properly screen material from public view as required	200.00	500.00
Failure to comply with an approved Conditional Use Permit or Special Exception	200.00	500.00
Failure to maintain site in accordance with approved site plan or single lot development plan	200.00	500.00
Failure to provide trash receptacle enclosure as required	200.00	500.00
Conducting outdoor storage, sales, or display of materials required to be within a completely enclosed building	200.00	500.00
Failure to conform to the provisions of Article IX - Temporary Uses and Structures	200.00	500.00

Failure to conform to the provisions of the Chesapeake Bay Regulations	200.00	500.00
Failure to obtain a Floodplain Permit prior to conducting use	200.00	500.00
Failure to comply with performance standards for noise control	200.00	500.00
Encroachment of a structure or building into a required setback or yard	200.00	500.00
Exceeding the height limitation for a building or structure, as set out in various provisions of this Chapter	200.00	500.00
Failure to obtain an approved Special Exception, as set out in various provisions of this Chapter	200.00	500.00
Violation of the single-family dwelling unit occupancy limitations	200.00	500.00
Illegally establishing an accessory dwelling unit, as set out in various provisions of this Chapter	200.00	500.00
Establish an unauthorized dwelling unit	200.00	500.00
The unlawful keeping, harboring or maintaining of livestock	200.00	500.00
The keeping or maintaining of shrubbery, plantings or any structure that creates a visibility problem	200.00	500.00
Displaying merchandise or conducting business between the street line and the building setback area	200.00	500.00
Erecting, altering, relocating or displaying a sign on private property without first obtaining a permit	200.00	500.00
Erecting or posting off-site signs on private property	200.00	500.00
Erecting moving signs, such as pennants, flags, and the like on private property	200.00	500.00
Posting strings of lights in windows or on buildings	200.00	500.00
Failure to meet stated conditions of Sign Permit	200.00	500.00
Erecting, reconstructing, demolishing, altering or restoring a building or structure in a Heritage Preservation District without obtaining a current, valid Certificate of Appropriateness	200.00	500.00
Failure to meet terms of certificate of appropriateness	200.00	500.00
Violation of Fencing Standards	200.00	500.00
Violation of Performance Standards	200.00	500.00
Violation of Standards for Refuse Enclosures	200.00	500.00
Violation of Standards for Roll-Off Dumpsters	200.00	500.00
Failure to park a recreational vehicle in an approved area in a residential district as required	200.00	500.00
Failure to park a commercial vehicle in an approved area in a residential district as required	200.00	500.00
The temporary or permanent occupancy of a recreational vehicle while parked within the limits of the Town	200.00	500.00
Any violation related to a sign not requiring a permit	200.00	500.00

Parking on unpaved surface	200.00	500.00
Creation of excessively large paved surface for front or side yard parking	200.00	500.00
Creation of excessively large impervious surface on a lot improved with a single-family detached dwelling	200.00	500.00
Violation of floodplain overlay district standards (Section 78-60.2.)	200.00	500.00
Maintaining or allowing maintenance of donation drop-off box	200.00	500.00

(b) *Penalties, fines and remedies for criminal violations.*

(1) *Criminal violations* . The following shall be treated as criminal violations of this chapter:

- a. Conduct of an unpermitted boarding house, unpermitted rooming house, unpermitted inn or unpermitted transient lodging business constitutes a criminal violation of this chapter.
- b. Specific violations arising from the same operative set of facts charged for three civil penalties, and persisting after the third civil penalty charge and after the time for its payment, shall constitute criminal violations of this chapter.

(2) *Penalties and fines* . Any person, firm or corporation who as the owner of any land, building or structure, or the agent having possession or control of such property as employee, lessee, tenant, architect, builder, contractor or otherwise, knowingly refuses or neglects to comply with any written order issued by the zoning administrator to abate any violation of this chapter shall be guilty of a misdemeanor punishable by a fine of not less than \$10.00 nor more than \$1,000.00.

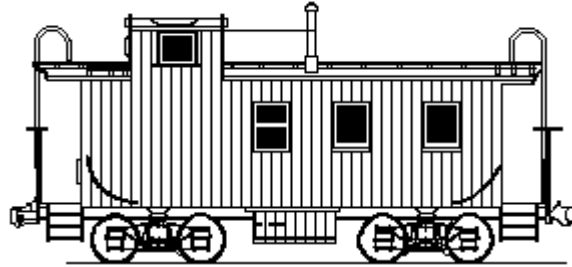
(3) *Remedy* . If the violation is uncorrected at the time of the conviction, the court shall order the violator to abate or remedy the violation in compliance with this chapter, within a time period established by the court. Failure to remove or abate a zoning violation within the specified time period shall constitute a separate misdemeanor offense punishable by a fine of not less than \$10.00 nor more than \$1,000.00, and any such failure during any succeeding ten-day period shall constitute a separate misdemeanor offense for each ten-day period, punishable by a fine of not less than \$10.00 nor more than \$1,500.00.

(4) *Excess criminal penalty for unrelated persons violation*. However, and notwithstanding the above subsections, any conviction resulting from a violation of provisions regulating the number of unrelated persons in single-family residential dwellings shall be punishable by a fine of up to \$2,000.00. Failure to abate the violation within the specified period shall be punishable by a fine of up to \$2,000.00, and any such failure during any succeeding ten-day period shall constitute a separate misdemeanor offense for each ten-day period punishable by a fine of up to \$2,500.00. However, no such fine shall accrue against an owner or managing agent of a single-family residential dwelling unit during the pendency of any legal action commenced by such owner or managing agent of such dwelling unit against the tenant to eliminate an overcrowding condition in accordance with Code of Virginia ch. 13 or ch. 13.2 of tit. 55 (unlawful detainer), as applicable. A conviction resulting from a violation of provisions regulating the number of unrelated persons in single-family residential dwellings shall not be punishable by a jail term.

(c) *Cumulative remedies for violations* . Except as provided in Code of Virginia § 15.2-2209, the remedies provided in this article are cumulative and not exclusive, and the designation of any violation of the provisions of this chapter as a criminal or a civil violation shall not be construed as prohibiting the town from utilizing any remedies in the Code of Virginia or from initiating appropriate injunctive, abatement, or other appropriate actions or proceedings to prevent, correct, restrain, or abate violations.

Sec. 78-170.5. - Procedures for civil violations.

- (a) *Notice of violation* . If the zoning administrator, or a designee, determines that a civil violation has occurred, the zoning administrator, or a designee, may cause a notice of the violation to be served by certified mail on any or all persons committing or permitting such violation, in accordance with section 78-170.2(b), notice of violation. This notice of violation will serve as a civil summons or ticket for the scheduled violation.
- (b) *Right to stand trial* . Any person summoned or issued a ticket for a scheduled violation may make an appearance in person or in writing by mail to the department of finance, care of the department of community development prior to the date fixed for trial in court. Any person so appearing may enter a waiver of trial, admit liability, and pay the civil penalty established for the offense charged. Such persons shall be informed of their right to stand trial and that a signature to an admission of liability will have the same force and effect as a judgment of court.
- (c) *Payment of penalty*. The person waiving trial shall abate the violation and pay to the town the civil penalty prior to the date set for trial.
- (d) *Violation to be tried* . If a person charged with and contesting a scheduled violation does not elect to enter a waiver of trial, admit liability, and pay the civil penalty established for the offense charged, the violation shall be tried in the general district court in the same manner and with the same right of appeal as provided by law. If the violation exceeds the jurisdictional limits of a general district court, the violation shall be tried in the county circuit court. In any trial for a scheduled violation authorized by this section, it shall be the burden of the town to show the liability of the violator by a preponderance of the evidence.
- (e) *Liability* . An admission of liability or finding of liability shall not be a criminal conviction for any purpose.



**CLIFTON TOWN COUNCIL MEETING
TUESDAY, OCTOBER 6, 2020, 7:30 PM
ELECTRONIC MEETING BY ZOOM
12641 CHAPEL ROAD
CLIFTON, VA 20124**

Until further notice from the Mayor of Clifton, and in accordance with the Resolution of the Town Council regarding Remote Participation by Electronic Means Policy and the Town Council Continuity of Government Methods Authorizing Remote Participation by Electronic Means Without a Physical Quorum Being Present Pursuant to Virginia Law, the Town of Clifton Town Council is holding the Meeting noticed herein electronically for the purpose of continuity of government of the Town of Clifton.

The meeting will be conducted using Zoom teleconferencing audio and video service, and connection information will be provided to members of the public to afford the opportunity to citizens to witness the operation of the Town of Clifton government. Connection information is available from, and will be provided by, the Town Clerk.

Any member of the public wishing to observe or participate in the electronic meeting **must notify the Town Clerk at clerk@cliftonva.gov in advance by Noon on the day of the meeting** in order to register for the meeting.

Any member of the public requesting to speak or make comments during the electronic meeting **must register with the Town Clerk at clerk@cliftonva.gov in advance by Noon on the day of the meeting, providing their name and address and the subject matter of their comments**, in order to have an opportunity to speak and provide comments during the meeting. Any such comments will be **limited to three (3) minutes** per speaker and priority will be given to the citizens and tax-payers of the Town of Clifton. Members of the public may also submit written comments to the Town Clerk in advance of the meeting. Any such written comments will be included in the record for the meeting, but will not be read aloud during the 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.
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:
 - i. Virginia DEQ Agreement Zoning Ordinance Changes.
 - b. Report of the Zoning Administrator:
 - i. Update on Residential Construction Projects;
 - ii. Update on Commercial Use Permits.
 - c. Architectural Review Board.
 - d. Update Town Commission, Board and Committee List for 2020-21.
5. Unfinished Business:
 - a. Vacancy on Town Council – Council Appointment of New Council Member.
 - b. Decision on Renaming the Town Park – “Harriet and William Harris Park.”
 - c. Proposed Expenditures for Safety Grant.
 - d. Natural Landscaping Resolution for Town-Controlled Properties - Status.
 - e. Additional Compensation for Staff for COVID-19 Related Work:
 - i. COVID-19 Administrator Position;
 - ii. COVID-19 Financial Administrator Position.
6. New Business:
 - a. Add Civil Penalty Option to Zoning Ordinance.
7. Adjournment.