



**TOWN COUNCIL MEETING MINUTES  
JULY 5, 2011 AT 7:30  
TOWN COMMUNITY HALL  
CLIFTON, VA 20124**

**Town Council members present: Chuck Rusnak, Dwayne Nitz, Bill Hollaway, Deborah Dillard, John Powell, Wayne Nickum  
Town Officials present: Marilyn Barton, Treasurer; Kathleen Barton, Clerk**

Order of Business:

1. Review of the Minutes

**Motion:** Wayne Nickum made a motion to approve the Town Council Special Meeting Minutes for June 16, 2011. Chuck Rusnak seconded the motion, John Powell abstained, and the motion was passed.

**Motion:** Wayne Nickum made a motion to approve the Regular Town Council Meeting Minutes for June 7, 2011. Chuck Rusnak seconded the motion, and it was unanimously approved.

2. Report of the Treasurer

Treasurer Marilyn Barton presented the Treasurer's Report. As of July 5 for Cash Balance, there is a Security Deposit holding \$1,742; Money Market Savings, \$134,194; Certificate of Deposit, \$37,635; Checking, \$26,113; LGIP, \$914; There was a total of \$470,598.09. She reported that of the 68 businesses that we sent BPOL forms out to, 71% responded. If the 12 new business inquiries are netted out, the response is 86%. BPOL Revenues received to date are 31,017, a 53% increase over the previous fiscal year. Additional contacts and certified letters will be sent to those who have not responded. Wayne Nickum requested that John Powell be notified when the letters are sent.

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

3. Reports of Committees:

a. Planning Commission;

Kathy Kalinowski presented the Planning Commission report.

1. Recommend for approval the application for a use permit for 12800 Chapel Street by Joanne and Tony Lustre for construction of a porch that does not change the footprint of the house, conditioned on ARB approval.

**Motion:** Wayne Nickum made a motion to approve the recommendation of the Planning Commission. John Powell seconded the motion, and it was unanimously approved.

2. Review of use permit application by Design Business Furniture and Karen Paris for commercial use of space at 7145 Main Street, space D, for office space, with hours of 9 AM to 9 PM seven days a week, with one employee, and the allocation of 2 parking spaces. However, the use permit is not at this time recommended for approval until additional parking at 7145 Main Street becomes available, since all existing parking spaces are presently allocated to existing tenants, loading space and dumpster space.

**Motion:** Wayne Nickum made a motion to table the discussion of Karen Paris to table it to after 6E of the Agenda. Bill Hollaway seconded the motion, and it was unanimously approved.

b. ARB;

Royce Jarrendt presented the ARB report. They reviewed 3 applications:

1. For 12800 Chapel Street, the ARB approved the modifications to the house as submitted.
2. Discussed signs: application was approved with modifications removing phone numbers and websites from signs. However, the issue was, in the Town Code, Section 914B.2.B, signs on a bracket can only extend 18 inches from face of building. They found that to be too small; it was noted that they had approved other signs with the same application that are currently installed but are in violation to that section of code. The ARB decided to approve the sign, which is the maximum of 3 feet of an extension from face of building. The ARB wished to raise the issue with the

Town Council, to let them know that they did approve the sign with the three feet maximum extension, and to receive their approval and possibly try to change the wording of the Town Code as a result.

**Motion:** Wayne Nickum made a motion that the ARB propose adjusted wording of the Town Code for the Public Hearing, as well as making new applicants aware that changes to the code are being contemplated. Deborah Dillard seconded the motion, and it was unanimously approved.

The ARB will make new applicants aware that changes to the code are being contemplated.

3. Application for 7239 Dell Avenue – Royce Jarrendt, ARB Chairman, reported that Jeff Stein was made aware that the Fairfax County Health Department had ordered the owner of the property to raze the structure. The owner of the property reported back to the County and said that Clifton had told them they couldn't tear down the building. The ARB had never been approached, however. The ARB will inform the County that the ARB has no objection to the building being razed. Bill Hollaway responded that it is the ARB's decision, however the owner of the property needs to be notified. The Council requested that the letter to the County be copied to the owners of the property.

c. Committees.

History committee: Chuck Rusnak reported as to what the \$115 in the budget for the History Committee was for. He stated that the money went from the Town to the National Trust for Historic Preservation; what it gained for Clifton was: membership in a forum (Trust Forum) that allows the Committee to get a magazine as well as access to the forum – which has a host of papers on historic subjects. It also gives documentation to that effect. There are also tax benefits for the historic budget; they receive books and grants. It can also help the Town with the Street Scape Plan – there are experts at the Town's disposal. It has been a great benefit – the Town has been a member since 1991. It is in the current budget to continue this membership.

Special Projects: Dwayne Nitz presented Street Scape improvement: Another community meeting was held – designers came with more significant possibilities for what the project may entail. About 40 people attended the last meeting – there was good, positive response. There is

nothing yet set in stone, however there is some consensus built as to which direction to head.

#### 4. Communications

Bill Hollaway presented a couple communications. First, the community should be aware of a break-in that occurred recently. Second, there was a sign in Ayre Square that disappeared, and the owner would like it back.

#### 5. Citizen's Remarks

There were no citizen's remarks.

#### 6. Unfinished Business:

a. Approval of Easement Agreements with CBA Town Improvement Fund and Northern Virginia Conservation Trust for Clifton Creek Park;

**Motion:** Bill Hollaway made a motion that the Town Council approve entering into the 2 Easement agreements related to the CBA Town Improvement Fund and Northern Virginia Conservation Trust for Clifton Creek Park. Wayne Nickum seconded the motion, and it was unanimously approved.

b. Authorization to Execute Fairfax County Permit Applications for Construction Phase of Clifton Creek Park;

**Motion:** Wayne Nickum made a motion to, if the Use Permit is approved by the Town Council, authorize the mayor or vice mayor to sign off on the Building Permit Applications. John Powell seconded the motion, and it was unanimously approved.

c. Service contract with Coastal Building Automation;  
Bill Hollaway presented. The Town Council discussed whether they should have a service contract for the next 12 months with Coastal Building Automation.

**Motion:** Bill Hollaway made a motion to approve Online Tech Support agreement with Coastal Building Automation -- \$400 a month. From the moment the agreement is signed, it lasts a year. Chuck Rusnak seconded the motion, Deborah Dillard voted nay, however the motion was passed.

d. Parking Lot Development Project Status;

**Motion:** Wayne Nickum made a motion to authorize the Railroad Siding Committee to negotiate construction terms for the railroad siding improvements, then make a recommendation to the Town Council for approval. Bill Hollaway seconded the motion, and it was unanimously approved.

e. Parking Space Off-Set Proposal for Town Businesses.

There was much discussion concerning the parking space off-set proposal for Town Businesses. After discussion, the Town Council agreed upon the following policy:

**TOWN OF CLIFTON, VIRGINIA – PARKING OFF-SET POLICY**

**Adopted by Unanimous Vote of the Clifton Town Council  
At the Regularly-Scheduled Town Council Meeting  
July 5, 2011**

- The Town of Clifton (the “Town”) will make off-sets for parking available to commercial Use Permit applicants to meet the parking capacity requirements in the Town Code.
- The Town is making a total of 11 parking off-sets available at this time. The 11 parking off-sets correspond to the 11 current parking spaces in the Town parking facility on the Norfolk Southern railroad siding off of Main Street.
  - The Town intends to make an addition 11 parking off-sets available when its new expanded parking facility on the railroad siding is completed, which is expected to be by fall 2011. The 11 new parking off-sets associated with the new facility are not available under the Policy at this time.
- The parking off-sets will be available to businesses seeking new or amended Use Permits. They are not available to building owners that are not seeking Use Permits.
- Parking off-sets must be requested and agreed to by the Use Permit applicant as part of the applicant’s new or amended Use Permit application.
- There is a fee of \$150 per space per year for each parking off-set. The annual fee may be changed prospectively by action of the Town Council, but will remain at this level until so changed. The annual fee is intended to address the costs of operating and maintaining the Town parking facility upon which the off-sets are based. The annual fee for requested off-sets must be paid by the applicant prior to granting of the new or amended Use Permit by the Town Council.

- Any failure to pay for the annual cost of the off-sets or to file and pay BPOL tax related to the subject Use Permit will result in revocation of the Use Permit. The Town Treasurer will send out invoices for renewal of the off-sets for each new annual period. The Town invoice must be paid by the Use Permit holder within 30 days of the mailing of the invoice.
- This Policy does not provide specific allocations of individual spaces in the Town parking facility. The off-sets are not reserved physical parking spaces for the Use Permit holder, but rather are used to allow the Use Permit applicant to comply with the parking capacity requirements in the Town Code.
- In order to request and receive parking off-sets, a Use Permit applicant must demonstrate that all available and developable parking spaces on the building to which the Use Permit relates already have been used to meet the parking capacity requirements in the Town Code.
- If a business Use Permit applicant chooses to avail itself of this Policy and requests and receives parking off-sets, then the on-site parking at the building to which the Use Permit relates shall not exclude the public.
- The number of parking off-sets available to any new or amended Use Permit applicant shall be as follows:
  - Where the applicant's Use Permit has or requires between 1 and 7 parking spaces, the applicant shall be eligible to obtain a maximum of 2 parking off-sets;
  - Where the applicant's Use Permit has or requires 8 or more parking spaces, the applicant shall be eligible to obtain a maximum of 3 parking off-sets.
- The Use Permit applicant cannot obtain more total parking spaces, including the parking off-sets, than the number of parking spaces demonstrated to be needed in the Use Permit.
- The 11 parking off-sets shall be allocated to new or amended Use Permit applicants on a first-come, first-served basis until such off-sets have all been allocated. When a Use Permit is surrendered or otherwise is terminated, any parking off-sets associated with that terminated Use Permit shall become available for new or amended Use Permit applicants.
- In the event that multiple Use Permit applications requesting parking off-sets are considered by the Planning Commission and the Town Council in a single month, the parking off-sets will be allocated pro-rata if there are insufficient off-sets remaining to meet the total requested amount.

*Adopted by unanimous vote of the entire Town Council of the Town of Clifton, Virginia at the regularly-scheduled Town Council meeting held in Clifton, Virginia on July 5, 2011.*

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**Motion:** Wayne Nickum made a motion to authorize the above off-set parking policy. Deborah Dillard seconded the motion, and it was unanimously approved.

## 7. New Business

a. Approval of Renewal of Cooperation Agreement with Fairfax County on Community Development Block Grant and HOME Investment Programs;

**Motion:** Wayne Nickum made a motion to approve the renewal of the Cooperation Agreement with Fairfax County on Community Development Block Grant and HOME Investment Programs. Deborah Dillard seconded the motion, and it was unanimously approved.

b. Report on Memorabilia from Clifton Elementary School;

It was reported that there was a lot of items left over from Clifton Elementary that need to be dealt with.

c. Opportunities for Boy Scout Eagle Scout Projects in Town;  
Boy Scout Eagle Projects are always welcome in Town.

d. Opportunities for Girl Scout Projects in Town;  
The Girl Scouts would like to help out in Town, Mr. Hollaway presented.

**Motion:** Dwayne Nitz made a motion to accept the Girl Scouts' offer to paint the park gazebo, and he will represent the project. Bill Hollaway seconded the motion, and it was unanimously approved.

e. Clifton Lions Club Labor Day Car Show.

Bill Hollaway presented that there will be a Labor Day Car Show this year, 2011. The Lion's Club will give the Town Donations of \$500.

**Motion:** Wayne Nickum made a motion to reapprove the resolution made last year for the Lion's Club Labor Day Car Show. John Powell seconded the motion, and it was unanimously approved.

8. Adjournment.

**Motion:** Wayne Nickum made a motion to adjourn. Bill Hollaway seconded the motion, and it was unanimously approved.

Minutes prepared by Kathleen L. Barton, Town Clerk.

Minutes approved by the Town Council at its meeting on August 27, 2011.

*Seal*

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Kathleen L. Barton, Town Clerk

August 27, 2011