



CLIFTONTOWN COUNCIL MEETING
TUESDAY, OCTOBER 4, 2011, 7:30 PM
CLIFTON TOWN MEETING HALL
12641 CHAPEL ROAD
CLIFTON, VA20124

Town Council Members Present: Vice Mayor Dwayne Nitz, Debra Dillard, John Powell, Chuck Rusnak and Wayne Nickum. Mayor Bill Hollaway is out of town.

Town Official Present: Marilyn Barton, Treasurer

Public Hearing: Dwayne Nitz opened the Public Hearing with a summary of the purpose of the Public Hearing:

Tom Van Blaricom from the Friends of Community Schools opened with a summary of the agonizing 2-year effort to save Clifton Elementary School. They have raised \$15,000 in donations thus far toward this effort and have learned values to hold the Clifton Community together with common goals; community meetings always were unanimous in support of fighting the action of closing the school. Friends of Community Schools raised \$80,000 in 3 months. Both law suites had legal standing, and neither judge would reverse the decision. Those involved have made substantial commitment of time and resources. Fundraising events continue on behalf of this effort.

Judy McNamara stated that the community really wanted Clifton Elementary School to stay. She expressed concern with the fact that the Town was asked for \$50,000 toward legal fees incurred. She stated that there are twenty families within the Town and 300 within the Clifton Elementary area - 1/15th of the requested \$25K would be more appropriate. The Town has many events, and she stated that she has no problem with earmarking the proceeds of the Haunted Trail to be designated to this purpose; the plaintiffs all should volunteer on that day.

Eric Katchmark stated that he likes the idea of the Community School and that he is in support of the proposed funding.

Rick Peterson explained that he has been in the Town for 20 years and he is in support funding this effort. When looking at the big picture, this is bigger than Clifton and involves the reputation of Clifton in the larger community. The cost of the legal fees being reduced so substantially was good. He doesn't believe that Patten Boggs wanted this, but it is the classy way that a Community comes together; which Clifton Elementary School did impressively. The efforts were about the Town, the property values and the direct positive impact of Clifton Elementary School on the Town—I am 100% in support.

Wayne Nickum commented that the Town hasn't spent any funds on the fees for this effort, but has supported the effort.

Jeff Harper began that he does not "have a dog in this fight, but have battled all the way." He loves the school and the community, and is in full support of the effort at hand. He supports every event even though he lives outside the limits of Town about a mile. He urges all to come together in support of this effort, and that he would gladly host a fundraiser.

Pat Layden spoke about the Town budget and how it is put together, having had experience serving on the Town Council. The 3 events in Town bring in \$50K-\$60K; the budget is the responsibility of the Mayor and the Town Council. The administration of the budget is focused on the Town. There are plenty of projects that this money would benefit if it was put to use—there are many projects in need of financial support. He believes, he continued, that the Town Council should help but not allocate any money for it. Rather the Town Council could offer the park free for a fundraiser, and request individual support donations toward this cause. The first responsibility is with the Town Council and Mayor for the management of the Town issues inside the Town.

Wayne Nickum asked Pat Layden if, when he was on the Town Council, he would have initially supported this in defense of Clifton Elementary. Mr. Layden responded that he did not know, and that he would not answer—but that he would say, the activities were happening over the past two years...Did the folks who were putting together the law suits not think about where the money would come from to pay for the legal fees? If asked in the beginning, he concluded, he probably would have answered yes—but this is his first time hearing of it.

Eric Hencken stated that he is in favor of the \$25K for Clifton Elementary School and Patten Boggs. It is a major part of the value of our homes, the reason why people come to Clifton. Kids are not the only factor, but they are a fraction—what changes is the kids' distance of travel and the splitting up of the neighborhood. Therefore, Mr. Henkin is in full favor of this effort.

Randy Thompson presented that his first reaction was "no" to giving \$25K to this effort, but he changed his mind—everyone was in favor when this mission started. He asked what the percent of the total 25K was—and the answer was 14%. He believes in helping fight for the economic viability of the Town. The Town can afford to support this. In conclusion, Mr. Thompson believes it is the right thing to do, and is in support of it.

Tom Peterson explained that he would build off of what Mr. Thompson had said: a great part of the Town Budget is supported by fundraiser events—those would not have been successful without the greater Clifton Community. A great job was done of reducing the amount down to the 50K agreement. People are getting sued who put heart and soul into the effort to save Clifton Elementary School. He stated that he is committed along with the CBA to fund 25K, which can be raised by fundraising events. The Poker Tournament raised 10-20K last year; it is not as if they are asking the Town to give 25K—the bills will be paid, and fundraising efforts will be there. It is the greater community that has made Clifton what it is today—Tom Peterson encourages the Town Council to approve the 25K.

Marcus Silva presented that he is in full support of the Town assisting with the legal fees and stated that the Town should help in handling this debt. He stated that he had managed the Wine Festival for 4 years and will continue for 2 more years.

Phyllis Lovett stated that she is in support of the Town Council funding the fees to offset the fees of the lawsuit, at the level the Town can afford. She depends on the Town Council to make the best decision. There is a small subset of people to step up to the plate and put themselves on the line for the greater community and she believes that everyone needs to contribute to help them to give back to the community. In conclusion, Phyllis Lovett fully supports this cause.

Steve Effros – "this pains me, because it wasn't my fight." He continued, explaining that his child never went to Clifton Elementary. He does know the condition of the Town – he does understand that the number of people in Town is small. But, in this case, as pointed out by Randy Thompson and Tom Peterson, it is the greater Clifton Community that supports the events that fund the Town's efforts. We are a community, and whether he agrees with the issues is irrelevant, he stated; but it was very clear that the people of our Community were very upset and in favor of supporting the Clifton Elementary School's effort. In this context, Mr. Effros concluded that he does believe the Town should support this effort for the greater community.

Jim Foley stated that he has two daughters in this fight. They worked hard to get a house in Clifton, so that their kids could go to the community school. Mr. Foley is in 100% support of this cause.

Elizabeth Vittori wished to respond to some comments—she is aware and can appreciate why some people would not be in support. She has had three children attending Clifton Elementary for the past 10 years. She

is a regular volunteer at events. They did not have any way of knowing what the legal fees would run up to—they always acted honorably and morally and always worked to represent this community in the way it deserved. She was a member of the board; deadlines were tight and demanding. They are very fiscally responsible, but there was a deadline that had to be met and action had to be taken. She requested that that be taken into consideration.

Erich Russekrobbins concurred with Steve Effros – the debt is a reality and the support is needed in support of the Community as the Community has supported the Town in fundraising events.

Erin Tengesdal stated full support of this initiative. If the Town has the money then it should provide the support needed. Any support that is needed, she will be in full support and am in full support of this initiative.

Vernon Keen had two kids who went through Clifton Elementary—they received a great education, and loved the school. It comes down to this, he stated: This is a community, and the community has an obligation to support this. It is an individual responsibility, not a Town responsibility. He is willing, he continued, to make a \$500 contribution and hope that there are many others who will also make a personal contribution. It is a community responsibility, but it shouldn't be a Town responsibility. There are enough in the greater community that can provide the personal contributions—he agrees that there's a need.

Dwayne Nitz thanked everyone for attending the Public Hearing and speaking, and stated that the Town Council will still continue to take e-mails with concerns. They have 7-8 comments submitted through e-mail, and copies are available from Marilyn Barton.

Motion: Wayne Nickum made a motion to close the Public Hearing; the public can continue to make comments for 10 days, until 10/14. Deborah Dillard seconded the motion. Chuck Rusnak opposed the motion. The motion passed.

Dwayne Nitz noted that he would send out an e-mail to the community to announce the status.

It was announced that on October 6, Fairfax County Parks is looking at expanding the bike trails. They will be having a meeting here in the Community Hall—it is a great opportunity to make your vote. The meeting will be held from 4 to 7 pm.

Dwayne Nitz called the regular Town Council Meeting to order.

Order of Business:

- Review of the Minutes (last regular meeting and any subsequent special meetings).
Motion: Wayne Nickum moved that the minutes be approved. John Powell seconded the motion, and it was unanimously approved.
- Report of the Treasurer.
Motion: Wayne Nickum moved to approve the Treasurer's Report as presented. Dwayne Nitz seconded the motion, and it was unanimously approved.
- Reports of Planning Commission, Architectural Review Board, and Committees:
 - Planning Commission; no report no applications
Susan Yantis – Streetscape Project: At the previous meeting, it was approved to go ahead with the VDOT enhancement funding request. The application is due November 1st. Marilyn Stoney and LPDA will be helping with the application. To submit, the Town Council will need to approve the resolution endorsing the application that will be submitted; same as for the Flood Plain Park. VDOT indicated that the resolutions typically are approved through action at the Regular Town Council meeting. Dwayne Nitz indicated that there is a draft resolution, and the Town will need letters of support from the community. The Town Council will need a Special Meeting to review the application and approve the resolution and application for funding. Susan Yantis reported that the last application rated top out of the 40 applications

received. Mr. Nitz will try to secure letters of support; a template will be sent out and letters can be signed and scanned back by e-mail. The Committee is meeting on the 12th and will update the Planning Commission on the 25th. The final Public meeting will be on November 3rd for the Streetscape Design. The Special Projects Committee plans to come to the Town Council on December 6, 2011 to review what was presented to the Planning Commission. The Town Council thanked Susan Yantis for all her hard work.

- Architectural Review Board;

Dwayne Nitz stated that the ARB did not meet, and there were no applications. However, in the August meeting they received application from the Chesley's for a landscaping pool, and it was approved.

- Committees:

Parking Lot Project – Status update.

Dwayne Nitz presented stating that they hope to have the project done by Saturday, to be in good shape for Clifton Day. Dwayne Nitz removed some of the siding that they were authorized to move. Trucking was provided free of charge by Bray Wilson of Weston's along with 2 large trailers for scrap metal and wood.

Motion: Dwayne Nitz moved that the Town Council write a letter to be issued to Bray Wilson of Weston's to authorize the removal of the materials. Deborah Dillard seconded the motion, and it was approved.

Other committees:

Motion: Chuck Rusnak made a motion to add a member to the Historic Preservation Committee—Bob Krajewski. Wayne Nickum seconded the motion was unanimously approved.

Chuck stated that the Town Council asked the Historic Preservation Committee to get Clifton Elementary School on the historic register with the County, State and Federal Historic Registration. On 8/19/11 the team found the Clifton Elementary was not eligible for listing, under Criteria A – “the boundary would need to expand beyond the town limits”; additional survey work will be required. The committee could not make a judgment on this without a map. The process will be slow and costly to proceed. Wayne Nickum asked the committee to continue to pursue this. Dwayne Nitz expressed concern that a member went ahead and acted without the Committee’s request. Mr. Rusnak indicated that this would be addressed at the next meeting.

Clifton Arts Committee –

Chuck Rusnak reported that Bill Hollaway had asked that a studio space be established in Town where Clifton artists can display and work. Merle Engle has been working on this with Chuck Rusnak. A number of places in town for rent have been considered. A couple of opportunities are available. Mr. Rusnak stated that there are as many as 10 artists interested in participating financially and artistically. Revenue opportunities could be through commission on sales. John Powell suggested that the Committee move forward and make proposals and suggestions to the Town Council. Wayne Nickum stated that he thinks it should be a town activity – not a separate group. If it was a Town activity, it would be covered by insurance. Dwayne Nitz added that the Town has a great resource of talented residents.

Homes Tour Committee – Candlelight Tour. Chuck Rusnak reported that Jennifer Chesley is chair, and hasn’t received much response for tour homes. She only has two homes tentatively – while five houses are needed for the tour. The Rusnaks are considering being a part of the Homes Tour. Dwayne Nitz offered to send an email out to generate interest and support for the Homes Tour.

John Powell stated that the Haunted Trail Committee met, and it went well. The number of volunteers is increasing. Things are coming together nicely—if the weather holds up, it will be a nice event. There is some work needed in the park: need to put mulch around, remove a tree. John Powell and another member of Town repaired the bridge and mulched. There was some minor vandalism on the bridge – Dwayne Nitz and Wayne Nickum repaired this. The children were identified and learned their lesson.

Dwayne Nitz presented Traffic and Safety. They will use the budget for Halloween for public safety. They suggested citizen traffic control on Main St. and Chapel Rd. that night. He will ask for two hours of police assistance.

Dwayne Nitz stated that in the new parking area they need to move the fence onto the Animal Clinic's property. Raymond VanLienden had made a great sculpture – and with family approval it will be moved to a Town green area.

Motion: Dwayne Nitz moved that the Town Council approach Ms. Corlis & Reise VanLienden and ask for approval to move the sculpture to a Town green space.

Motion: Concerning the new parking area discussion, John Powell stated that the Committee would come with a proposal to the November meeting. Wayne Nickum made a motion to table this discussion. John Powell seconded the motion, and it was approved.

4. Communications.

a. Bicycle Transportation Master Plan Meeting – Clifton, October 6, 2011.

Dwayne Nitz announced that the BTMP meeting would be held in the Community Hall on 10/6/11.

5. Citizen's Remarks:

There were no citizen's remarks.

6. Unfinished Business:

a. Discussion of Budget Revision to Fund Clifton Elementary School-Related Legal Fees.

Motion: Following lengthy discussion, John Powell moved to change the fiscal year ended 6/30/2012 budget to include a line item for Clifton Elementary School litigation related expenses of \$25,000, subject to approval of the amount by a positive vote by 4 members of the Town Council. Dwayne Nitz seconded the motion, Chuck Rusnak abstained, and the motion passed.

7. New Business:

a. None.

8. Adjournment.

Motion: Wayne Nickum moved to adjourn at 10:30 p.m. Deborah Dillard seconded the motion, and it was approved.

Minutes were taken by Marilyn Barton, and finalized in draft by Kathleen Barton, Clerk.

Minutes were approved at the November 1, 2011 Town Council meeting. Kathleen Barton, Town Clerk