HERNDON TOWN COUNCIL
Regular Meeting Minutes
Tuesday, October 8, 2024

1. Call to Order

Mayor Olem called the October 8, 2024, Town Council meeting to order at 7:00 p.m. in the Herndon Council Chambers, 765 Lynn Street, Herndon, Virginia. In attendance were: Mayor Sheila Olem; Vice Mayor Clark Hedrick; and Councilmembers Naila Alam, Cesar del Aguila, Pradip Dhakal, Keven LeBlanc, and Donielle M. Scherff.

Staff present during the meeting: Christopher Martino, Interim Town Manager; Lesa Yeatts, Town Attorney; Kirstyn Barr Jovanovich and Scott Robinson, Acting Deputy Town Managers; Chief Maggie DeBoard, Herndon Police Department; Lisa Gilleran, Director of Community Development; Marjorie Sloan, Director of Finance; John Irish, Acting Director of Public Works; Lauri Sigler, Deputy Town Attorney; and Amanda Kertz, Acting Town Clerk.

2. Pledge of Allegiance to the Flag of the United States of America

Mayor Olem led the audience in the Pledge of Allegiance to the Flag of the United States of America.

Determination of a Quorum

Mayor Olem determined there was a quorum of all Councilmembers present. Mayor Olem reminded the Council of the meeting decorum.

Mayor Announcements

Mayor Olem stated that the Town's Leaf Collection begins October 7 and goes through October 31. She stated that the Town-wide Fall Clean-Up is scheduled to run from October 16 through 18. More information is available on the Town calendar and the website.

Mayor Olem stated that the Town will be open on Monday, October 14. She advised that trash and recycling will be collected as usual.

DRAFT

3. Presentations/Reports/Comments

a. Town Manager Report

Christopher Martino, Interim Town Manager, stated that he wanted to address the leases at the Arts Herndon building, 750 Center Street, which the Council discussed at their last work session meeting. Following conversations with staff and the Town Attorney, he was looking for Council's direction on how to proceed with those leases that evening.

Mr. Martino reviewed the current leases at 750 Center Street, emphasizing that this discussion is held in the context of the downtown redevelopment project, which staff are working on, and will present to the Council on December 10. He discussed the terms of previous lease and sublicenses with NextStop Theatre and Arts Herndon, which expired on June 30. Since the Council was working through the agreement for the downtown project, the Council's review of the sublicenses were postponed. Currently, the organizations do not have leases in place and therefore, no notice is required.

Mr. Martino stated that once the downtown redevelopment project agreement is signed, Comstock is required to close on the financing for the project prior by March 31, 2025, and initiate construction by April 30, 2025. For this to occur, the building that houses Arts Herndon has to be vacated by April 30, 2025. He discussed the ongoing maintenance issues at the Arts Herndon Building, and stated that the Town has spent approximately $400,000 to prepare space at 397 Herndon Parkway for Arts Herndon's use.

Mr. Martino stated that there are several options the Council could consider: (1) take immediate action due to the impending project, (2) do not take action, (3) give immediate notice to vacate the building, or (4) give notice and provide a period of time, e.g. 30, 60, or 90 days.

Responding to Mayor Olem, and with the consensus of Council, Mr. Martino stated that staff could prepare a Discussion item on this topic for the next Town Council work session agenda.

b. Councilmember Comments

Councilmember Scherff: thanked Mr. Martino for the information on the leases and asked if there was any update to the Comstock signage.

Mr. Martino stated that he has made contact and has had discussions; however, at this time, there is no resolution other than Comstock stating they have committed to the Council that they would replace the old signage. Mr. Martino stated that he and staff have a meeting scheduled that next Monday with Mr. Clemente.

DRAFT

Councilmember Scherff stated, for the record, that it has been four to five weeks since the Council requested that Comstock replace the signage.

Councilmember Alam: thanked Mr. Martino for the updates.

Councilmember LeBlanc: stated that he was sending his thoughts and prayers to all those that have been and continue to be impacted by recent hurricanes.

Councilmember LeBlanc stated that he attended the following events: (1) the Irish Folk Festival at Arts Herndon on Saturday, September 28; (2) that same day, he went to the Showcase of Bands at Herndon High School; and (3) attended the opening of “POTUS” at NextStop Theatre.

Councilmember LeBlanc stated that he is a member of the Cultivating Community Initiative (CCI), who host the Herndon Homes Tour. He stated that this year they are working with the two primary town Halloween houses - the Historic Halloween House and the Bistro at Queens Row - to sponsor a town-wide Halloween decoration contest with the theme of "Outer Space". He asked those interested to contact the CCI.

Councilmember del Aguila: stated that he heard from several residents that they are not receiving enough information from the Town. He thinks that the Council and staff need to talk about a better way of communicating with residents. He requested further discussion at the next work session on ways to communicate about events going on in town.

Councilmember del Aguila stated that he understood that "No Soliciting" does not mean that he cannot put something on a resident's door. He asked the Town Attorney if he was incorrect in his statement, and asked if it did not apply to elected officials.

Lesa Yeatts, Town Attorney, stated that a resident's door is their private property, and stated that she could not give private legal advice at that time.

Councilmember del Aguila thought that he could leave materials at a resident’s door as long as he did not knock on the door and indicated he would continue to do so.

Councilmember del Aguila stated that he believed that most events happening in Town are a highlight for residents, and he would like to plan more diverse and multicultural events. He thought that residents wanted to see more monthly events and thought that the events could be communicated better to the public.

Councilmember Dhakal: echoed Councilmember LeBlanc's comments on sending thoughts and prayers to those affected by hurricanes.

DRAFT

Councilmember Dhakal echoed Councilmember del Aguila's comments about providing better communication with residents about upcoming events. He suggested that the Town: (1) coordinate with schools to send information to parents; (2) post information in locations where the community lives; and (3) post information at the Herndon Community Center.

Councilmember Dhakal requested further information on the following: (1) speeding issues on Jeff Ryan Drive and Bayshire Lane; (2) stop sign not being visible on Bayshire Lane; (3) redevelopment at the Pines Shopping Center; and (4) safety concerns from residents at the Worldgate Condominiums. Councilmember Dhakal asked staff to look into his requests and provide the Council with possible short and long term solutions to address his requests.

Vice Mayor Hedrick: discussed the success that the Town has seen with two events that were mentioned during last week's work session, Friday Night Live and Wintermarkt. He recommended that anyone who is planning an event in the future should reach out to those groups and seek their assistance to understand how to market events effectively.

Vice Mayor Hedrick discussed several events he recently attended, including: (1) the Irish Folk Festival; and (2) the 22nd Annual Hispanic Business Reception hosted by the Dulles Regional Chamber of Commerce on Thursday, October 3.

Mayor Olem: discussed several events she recently attended, including: (1) NatureFest on Sunday, September 29 at Runnymede Park; (2) the 22nd Annual Hispanic Business Reception, where she presented the proclamation recognizing National Hispanic American Heritage Month; (3) 20th Anniversary Celebration for the Silver Light Seniors Association, where she presented a letter of congratulations to the organization; and (4) a matinée performance of POTUS at NextStop Theatre.

Mayor Olem stated that LINK is a local organization that helps individuals who need immediate assistance and suggested anyone who needs assistance to reach out to them.

Mayor Olem stated that if she sees a "No Solicitation" sign she will not leave anything at the residence.

4. Comments from the Audience

Mayor Olem reviewed the process and asked those who wanted to provide Comments from the Audience to come forward.

The following individuals provided comments on safety concerns at the Worldgate Shopping Center area:

DRAFT

- Michelle Davis, 12917 Alton Square, president of Worldgate Condominium Unit Owners Association; and

- Stephen DeSimone, 2204 Westcourt Lane, Herndon, representing the Board of Directors of Worldgate Condominium Unit Owners Association.

The following individuals provided comments on Town-sponsored events, and communication concerning events:

- Barbara Glakas, 935 Barton Oaks Place, Herndon: who also invited the Council to attend the annual Herndon Historical Society's annual Photo Exhibit and reception on October 11;

- Bessie Denton, 496 Virginia Avenue, Herndon; and

- Stevan Porter, 905 Vine Street, Herndon, who also expressed concerns about the upkeep of the Pines Shopping Center, Roberts Carpets, and Chestnut Grove Cemetery.

The individuals provided comments about miscellaneous issues:

- Jay Hadlock, 515 Alabama Drive, Herndon: provided comments about the recent NatureFest at Runnymede Park, thanking the Town staff for supporting the event; and

- James Melone, 1017 Page Court, Herndon: (1) safety and speeding at the intersection of Jeff Ryan and Bayshire Lane; and (2) expressed concerns about the Sterling Road project.

5. Public Hearings

a. Resolution 24-G-62 to approve a Right-of-Way Encroachment Agreement with Fairfield 555 Herndon, LLC, owner of real property described as Fairfax County Tax Map No. 0164 10 0002C, to allow certain improvements within Town of Herndon right-of-way proposed in the major site plan for 555 Herndon Parkway – Multi-family with Retail (MJP23-04)

Certificates of Publication were filed from the Editor of the Fairfax County Times Newspapers, showing that notice of said public hearing items had been duly advertised in the Friday, September 20 and September 27, 2024, issues.

Mayor Olem opened the public hearing and recognized John Irish, Acting Director of Public Works, who stated that the proposed resolution is part of the major site plan for 555 Herndon Parkway and will allow for improvements in the right-of-way

DRAFT

during construction of the project. Specifically, the resolution is asking the Town to give permission to the property owner to have a part of the sidewalk. This is part of a multifamily, mixed-use project that will be located close to the Metro Station. Staff recommends approval of the proposed resolution, as presented.

There was brief discussion among the Council and staff on this item, including: (1) inspections preformed of the right-of-way; (2) materials that may be used for the project; (3) potential exposure and liability; and (4) utility work associated with the project.

Mayor Olem called for comments from the audience. Seeing none, Mayor Olem closed the public hearing and moved to Council level for discussion and action.

Councilmember LeBlanc moved to approve Resolution 24-G-62 to approve a Right-of-Way Encroachment Agreement with Fairfield 555 Herndon, LLC, owner of real property described as Fairfax County Tax Map No. 0164 10 0002C, to allow certain improvements within Town of Herndon right-of-way proposed in the major site plan for 555 Herndon Parkway – Multi-family with Retail (MJP23-04), as presented.

Motion seconded by Councilmember Alam.

There were no comments from Council.

The question was called on the motion, which carried by unanimous roll call vote. The vote was: Councilmembers Alam, del Aguila, Dhakal, LeBlanc, and Scherff, Vice Mayor Hedrick and Mayor Olem voting “Aye.”

6. <u>Consent</u>

a. Resolution 24-G-63 to authorize the town manager to submit a grant application to the Virginia Department of Transportation for funding under the Virginia Highway Safety Improvement Program (VHSIP) for the replacement of traffic signal heads and installation of high visibility signal backplates.

b. Resolution 24-G-64 to award Contract #B-25-02, Fuel Tanks Replacement Project

c. July 16, 2024, Town Council Meeting Minutes

On motion of Councilmember Dhakal, seconded by Councilmember Scherff, the Consent Agenda items were approved and carried by unanimous roll call vote, as presented, without comment. The vote was: Councilmembers Alam, del Aguila, Dhakal, LeBlanc, and Scherff, Vice Mayor Hedrick and Mayor Olem voting “Aye.”

DRAFT

7. Adjournment

There being no further business, Mayor Olem adjourned the October 8, 2024 Town Council regular meeting at 7:58 p.m.

Amanda E.M. Kertz
Acting Town Clerk

Minutes approved by Town Council : _____

DRAFT