

MINUTES
PURCELLVILLE TOWN COUNCIL MEETING
MAY 10, 2016, 7:00 PM
TOWN HALL COUNCIL CHAMBERS

The regular meeting of the Purcellville Town Council convened at 7:00 PM in Council Chambers with the following in attendance:

PRESENT: Kwasi Fraser, Mayor
John Nave, Council member
Joan Lehr, Council member
Patrick McConville, Council member
Doug McCollum, Council member
Karen Jimmerson, Council member
Kelli Grim, Council member

ABSENT: None

STAFF: Robert Lohr, Jr., Town Manager
Danny Davis, Assistant Town Manager
Sally Hankins, Town Attorney
Alex Vanegas, Director of Public Works
Liz Krens, Director of Finance
Patrick Sullivan, Director of Community Development
Hooper McCann, Director of Administration
Joe Schroeck, Police Dept.
Melanie Scoggins, Events Specialist
Sheryl McIlvaine, Executive Assistant
Diana Hays (arrived at 8:25 PM)

CALL TO ORDER OF REGULAR MEETING:

Mayor Fraser called the regular meeting to order at 7:00 PM. The Pledge of Allegiance followed.

AGENDA AMENDMENTS/APPROVAL:

Council member Jimmerson requested to move the Authorization to Vacate Pump Station as item a. instead of c. since the homeowner was in attendance. Mayor Fraser approved the request.

Rob Lohr requested to add to the agenda that Council provide additional direction for the next budget meeting. Mayor Fraser approved the addition under section 14 as item b.

PROCLAMATIONS/RECOGNITIONS:

- a. **Recognition – Master Governmental Deputy Treasurer by Treasurer’s Association of Virginia**

Liz Krens presented the certificate of the Master Governmental Deputy Treasurer from the University of Virginia Weldon Cooper Center for Public Service to Connie LeMarr, Assistant Director of Finance.

- b. **Recognition – GFOA Certificate of Achievement for the FY15 CAFR**

Danny Davis presented this award to the Finance Dept. and noted that the award is the highest form of recognition in the area of governmental accounting and financial reporting.

- c. **Proclamation – Click It or Ticket**

Mayor Fraser read the proclamation and issued it to the Lt. Joe Schroeck from the Purcellville Police Dept.

- d. **Recognition – Loudoun Valley High School STEM Club**

Mayor Fraser recognized each of the members in attendance.

- e. **Recognition – Loudoun Valley High School DECA State Champion – Business Finance**

Mayor Fraser congratulated Ms. Sarah McAllister, and Steve Varnecky provided information about her success.

PUBLIC HEARINGS:

None

PRESENTATIONS:

- a. **Loudoun Valley High School STEM Club**

The STEM Club showed a short video about the design and creation process for their Emergency Alert System and summarized the next steps to have it implemented.

STANDING COMMITTEE/COMMISSION/BOARD REPORTS:

- a. **Planning Commission**

Chairman McCollum stated at their May 5th meeting the Planning Commission discussed the application of Makersmith to locate to the Town’s property on S. 20th Street. Council member McCollum noted that the property is currently zoned as IP, Institutional Public Use district and stated that Makersmith has said that their use is light industrial that overlaps several zones, and that the current zoning technology does not adequately address their use. Chairman McCollum added that after discussion, the Planning Commission voted unanimously with one absent to recommend to Council that they work with Makersmith to initiate an application for a public or government building facility or use not otherwise defined, Article 4 Section 14.3, which

requires a special use permit. Chairman McCollum added that this would be a short term fix because the use is only valid on publicly owned land, however allows Makersmith to operate in compliance with current Town zoning as long as the Town owns the property.

Chairman McCollum noted that the Planning Commission canceled its May 19th meeting so that a Visioning Workshop could be held, which is the third step of the comprehensive plan input sessions.

Chairman McCollum stated that with the results of the May 3rd election, the Planning Commission will have at least two vacancies as of July 1.

b. Board of Architectural Review

No report.

c. Parks and Recreation Advisory Board

Vice Mayor McConville reminded everyone that the Music and Arts Festival is on May 21st and that the deadline for artists has been extended.

d. Economic Development Advisory Committee

Daniel Abramson, Chairman, thanked Council members Nave, Lehr and McConville for their efforts over the years.

Chairman Abramson reviewed the CGI proposal for marketing videos for the Town and shared a presentation.

e. Purcellville Arts Council

Liz Jarvis, Chair, reviewed the Art In Town program, Art in the Train Station, and Art in Town Hall program and announced the artist reception scheduled for May 18th. Chair Jarvis added that the PAC is coordinating the arts portion for the Music and Arts Festival.

CITIZEN AND BUSINESS COMMENTS:

None

MAYOR AND COUNCIL COMMENTS:

Council member McCollum congratulated the candidates in the Council elections, congratulated the Finance Dept. and staff for their awards, and thanked the Police Dept. for their work with domestic disputes and crisis intervention. Council member McCollum talked about his motion to amend the agenda at the last Council meeting so that Council could discuss the April 22, 2016 formal complaint against a Council member. Council member McCollum

added it was not his intention to discuss the merit of the complaint but to initiate a discussion about the procedures Council would use to address these types of matters. Council member McCollum stated he feels having the Council decide how to address matters is the people's business and that citizens should expect that their complaints against Council members will be considered fairly in public to the extent allowed by the Code of Virginia. Council member McCollum added he is gratified that the agenda today includes Council discussions on these procedures.

Council member Grim stated that May 15th is National Police Officers week to honor fallen officers. Council member Grim talked about the importance of public trust and a responsive government.

Council member Jimmerson stated she attended the ribbon cutting for Workman Fitness and noted the success of the attendance of the elections.

Council member Nave stated he attended the ribbon cutting for Workman Fitness, and thanked Connie LeMarr for her work and the Town's for their financial reporting.

Council member Lehr stated the Purcellville Business Association meeting was held today and enjoyed listening to the speaker from the office of Loudoun Economic Development.

Vice Mayor McConville congratulated all of the candidates and added that he shared comments with the Town Manager about what he heard from residents as he was going around Town. Vice Mayor McConville added he has been working on a bus shelter project near Giant, and added that he attended the ribbon cutting for Workman Fitness and also congratulated Connie LeMarr and the Finance Dept.

Mayor Fraser congratulated the election candidates and thanked Council members Nave, Lehr and McConville for their years of dedicated service. Mayor Fraser welcomed Ms. Grim to Council and the additional new Council members in attendance. Mayor Fraser stated he met with Chris Bessette, Operational Manager of the Purcellville Cannons, and stated he is ready and willing to work with the Town to bring profitability to Fireman's Field. Mayor Fraser thanked the citizens for entrusting him as Mayor for the next two years.

DISCUSSION/INFORMATIONAL ITEMS:

a. Marketing Video Follow-up: Discussion of Options

Danny Davis noted that this item was previously discussed at the March Town Council meeting and is being brought back to Council for direction on how to proceed since a consensus was not reached at that time. Council had requested that staff solicit two separate options with one being the CGI option and the second option to get proposals and have videos done at an expense to the Town. Another option was to reach out to local schools to see if students would be willing and able to do this project. Danny Davis stated he reached out to both high schools in Town and to Monroe Tech. and added Monroe Tech. has students that are

from Loudoun Valley High School and are willing to step up and do this with minimal costs if this is the direction Council wants to go.

Council member Nave summarized that the Town went through the RFP process and that the results are provided. Council member Nave stated that he feels CGI has shown they are experienced and successful and if it can be integrated into the website, may be the way to go. Council member Jimmerson talked about the high quality of the end product being attractive to citizens. Council member Grim stated she feels the CGI videos are superior and received positive feedback from other municipalities that use CGI and proposed to move forward with CGI. Vice Mayor McConville noted he likes the high school option since it is local however supports options one and three. Council member Lehr noted she still feels advertising is inappropriate and can cause issues, and would like to see the high school students involved. Council member McCollum stated he prefers a video that talks about the Town as a whole and a website that has links to the restaurants, vineyards, breweries, etc.

Council member Nave made a motion that the Town move forward with an agreement to have CGI produce advertising as stated in the proposal. The motion was seconded by Council member Grim.

Council member Grim stated she reviewed all of the CGI videos and that they are municipality neutral in that they do not highlight specific businesses that were doing their marketing/advertising, and therefore does not feel businesses would feel left out. Daniel Abramson talked about the quality of video needed as it would come from each of the different groups mentioned.

Motion: Council member Nave
Second: Council member Grim
Carried: 6-1-0

McCollum - Aye
Grim - Aye
Jimmerson - Aye
Nave - Aye
Lehr - Nay
McConville - Aye
Mayor - Aye

ACTION ITEMS:

a. Authorization to Vacate Pump Station Access Easement in Old Dominion Valley Subdivision

Rob Lohr noted that when Old Dominion Valley purchased the remaining portion of the old subdivision, part of the proffers and build-out required a new pump station and the old one was abandoned, however during the coordination and delays the Town had to maintain the access easement to the back of the property near the old pump station. Mr. Lohr added that neither

the developer nor the Town identified at the end of the project that this pump station and easement needed to be abandoned, however staff agreed to accommodate the property owner and allowed them to get the permit and suggested that the Town cover the cost of doing the vacation of the easement. During this process it was identified that there is a small linkage in the HOA property which allows the Town to better clean out that area in the future and will approach the HOA to ask for a small connection through the HOA property to permit the Town emergency access if needed.

Council member Grim asked if the resident received a clear title at the time, if the title company missed it, asked if emissions insurance has been looked at to help offset some of the Town's expenses. Sally Hankins stated this has not been looked into. Rob Lohr added he would report back to Council as this gets resolved.

Council member Jimmerson made a motion that the Town Council authorize staff to proceed as needed with the work necessary to vacate the existing 15-foot pump station access easement (originally dedicated in DB 548 PG 484), and to extend the existing sanitary sewer easement to the right-of-way of Old Dominion Drive. The motion was seconded by Council member Lehr.

Motion: Council member Jimmerson
Second: Council member Lehr
Carried: 7-0-0

McCollum - Aye
Grim - Aye
Jimmerson - Aye
Nave - Aye
Lehr - Aye
McConville - Aye
Mayor - Aye

b. Wine and Food Festival Ticketing Options

Melanie Scoggins noted that feedback from Council was requested over the past four weeks as to how Council would like to see the ticketing done this year. Ms. Scoggins summarized the two options provided in the staff report.

Vice Mayor McConville noted a third option providing a five dollar discount to Town residents at any tier by showing their ID at the gate. Council member McCollum added that the Town zip code is the same as out of Town Purcellville residents. Council member Grim asked about staff checking ID and to look into a disclaimer. Ms. Scoggins stated that the Town is on an ABC license. Ms. Grim asked about ticket sales in locations other than online and Ms. Scoggins noted that online is the preference and the Town does not take credit cards for ticket purchasing options elsewhere. Ms. Grim added she helped with another event that provided discounts to Town residents and it was very difficult to determine the residents. Further discussion took place about offering a resident discount online using a code and limiting tickets when using the code. Mayor Fraser added he is inclined to not offer the discount because of probability in others getting the discount code.

Council member Grim made a motion to direct staff to use the ticketing option one as described in this report for the 2016 Purcellville Wine and Food Festival. The motion was seconded by Council member Jimmerson.

Council member McCollum stated he does not feel non-residents will game the system for a five dollar discount and feels option one is a better option. Vice Mayor McConville suggested a limit of four or six tickets and would like to offer Town citizens a discount. Council member McCollum added that option one offers no discount.

Council member Lehr made a friendly amendment that option two be used with residents only being allowed to get the discount through the online purchase (not at the gate) and that the tickets be limited to six per household. Council member Jimmerson noted that the code is transferrable and expressed her concerns for it getting around to non-residents. Council member Grim agreed to the friendly amendment, although not her preference.

Council member Grim restated the motion with the amendment that Council direct staff to use ticketing option one as described in the report for the 2016 Purcellville Wine and Food Festival and that we also allow residents to purchase their tickets at fifty-percent off price online up until July 15th. The motion was seconded by Council member Jimmerson.

Council member McConville asked about staff costs associated with the amendment. Danny Davis stated he does not feel it would be an excessive amount of time.

Motion: Council member Grim
Second: Council member Jimmerson
Carried: 5-2-0

McCollum - Nay
Grim - Aye
Jimmerson - Aye
Nave - Aye
Lehr - Aye
McConville - Aye
Mayor - Nay

Mayor Fraser and Council member McConville explained that the reason for their vote was because of simplicity.

c. Process for Handling Complaints Against Public Officials

Sally Hankins referenced the questions in the staff report and asked if Council wanted to investigate complaints or leave the complaints to other avenues for processing that may already exist.

Council member McCollum stated he feels Council needs to address complaints and is responsible for the conduct of its members and should have a process using an appointed committee. Council member Grim stated she feels a larger number of citizens than Council members should be involved and an ad hoc committee be brought in when needed. Council member Jimmerson agrees with the ad hoc committee and feels if a complaint is filed against a Council member that the Council member be afforded the opportunity to speak to the Council about the action before moving forward. Council member Nave stated he feels this item is the

business of the people and talked about it being brought outside of Council to another authority. Council member Lehr talked about options such as a citizen/Council ad hoc committee or something similar to determine whether or not to move the complaint forward to an outside group. Vice Mayor McConville stated complaints need to be addressed in front of a jury and does not feel Council should be involved. Mayor Fraser stated he feels a process is needed in the case of future complaints, and feels there should be an initial vetting of the complaint by an ad hoc committee consisting of Council and several citizens, selection process of the residents to be determined, then forwarded to an expert.

Sally Hankins summarized by stating she heard that three Council members stated they would prefer that the initial review of the complaint be handled by an outside person, and that four Council members prefer for the review to be done by a committee consisting of Council members or a Council and citizen committee. Ms. Hankins added that three Council members preferred to have a preliminary evaluation before any type of investigation would occur and that this be done by the complainant and the subject of the complaint defending it with the ad hoc committee hearing the complaint then determining if there is merit to move the complaint forward.

Council member McCollum added that he is uncomfortable with Council members issuing discipline. Sally Hankins talked about the complaints being considered personnel matters and that under the Freedom of Information Act the Town has the option to keep personnel matters confidential which the Town exercises for employees. Ms. Hankins added that Council is a separate category and could continue in the same manner as with employees or make it public as well as the material associated with the complaint. Mayor Fraser asked for Council feedback on putting this before the public versus having two or three members serve on a committee to meet in private then bring it forward. Council member McCollum stated that in fairness to the citizens should be open to the public. Council member Grim stated she agrees with Council member McCollum and added that closed meetings are perceived negatively by the public. Council member McCollum talked further about the importance of hearing about the complaint from both sides. Council member Lehr stated she feels that the committee should consist of a random selection of three of the six Council members not involved in the complaint. Vice Mayor McConville added that by having the initial review done in public may keep the number of false allegations low. Council member McCollum added that someone on Council needs to address when a complaint is received and how it will be processed to include a public meeting, at which time the committee can close out the complaint should they feel there is not enough evidence to support it. Council member Jimmerson added that it should be determined what constitutes a qualified complaint. Mayor Fraser stated that if the complaint has merit, the second step would be to have both parties come before the committee and the committee would then make a decision. Council member McCollum added he does not feel there should be disciplinary steps and that the report shows as sufficient discipline for the residents to determine at election time.

Mayor Fraser summarized the draft process starting with a committee of three followed by a public hearing where both parties come before the committee. Then based on the merits of the case, a formal report is prepared by the committee of three. Council member Lehr added she feels there should be penalties at various levels to finalize the process.

Rob Lohr requested that Council consider using an outside person to conduct the fact finding to leave Council to continue to run the government, and talked about the additional expenses of having the committee versus having Council involved later in the process. Council member Lehr requested a cost on what the initial overview of a complaint would cost.

Mayor Fraser requested that Sally Hankins put together a draft policy based on the comments and that this item be added to the next meeting agenda for further discussion.

**DISCUSSION OF ITEMS PROPOSED FOR FUTURE PRESENTATIONS/
RECOGNITION:**

- a. **Memorial Day Poppy (American Legion Auxiliary Unit 293)**
- b. **Hunger Awareness Month, May 2016**

Council approved both requests.

- c. **Budget Discussion**

Rob Lohr stated that the budget document has been updated based on Council's consensus and asked if Council wants to schedule another budget meeting outside of the regular Council meetings or at the next Council meeting. After discussion, Council requested that this item be added to the May 24th meeting agenda.

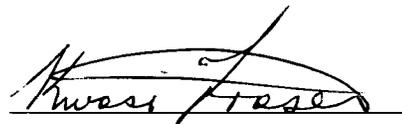
APPROVAL OF MINUTES

- a. **April 26, 2016 Town Council Meeting**

Council member Lehr made a motion to approve the minutes of the April 26, 2016 Town Council Regular Meeting wave reading. The motion was seconded by Council member McCollum and approved unanimously.

ADJOURNMENT

With no further business, Council member McCollum made a motion to adjourn the meeting at 9:35 PM. The motion was seconded by Vice Mayor McConville and passed unanimously.



Kwasi A. Fraser, Mayor



Diana Hays, Clerk of Council