

**MINUTES
PURCELLVILLE TOWN COUNCIL MEETING
JULY 26, 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
Karen Jimmerson, Vice Mayor
Kelli Grim, Council member
Nedim Ogelman, Council member
Chris Bledsoe, Council member

ABSENT: Doug McCollum, Council member
Ryan Cool, Council member

STAFF: Robert Lohr, Jr., 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
Dan Galindo, AICP, Senior Planner
Chief Cynthia McAlister, Police Dept.
Diana Hays, Town Clerk/Project Manager

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:

Rob Lohr stated that one item had been added as a supplemental agenda. Council approved the addition.

PROCLAMATIONS/RECOGNITIONS:

None

PUBLIC HEARINGS:

None

PRESENTATIONS:

None

CITIZEN AND BUSINESS COMMENTS:

Chip Paciulli, 105 N. 28th Street, stated he was not speaking officially for the Planning Commission but about planning commission business. Mr. Paciulli stated that the Planning Commission had worked on a couple of zoning ordinance issues that he had brought forward to them for their review and staff's review and eventually to Council. Mr. Paciulli added that one item was due to be advertised for public hearing and asked about a letter written to Town Council and waiting feedback from Council before they can move forward.

Rob Lohr stated that over the years committees would engage staff or public hearings/legal action without Council being aware. Mr. Lohr added that before advertising for a public hearing, Council is generally given the opportunity to decide if there are any other considerations.

MAYOR AND COUNCIL COMMENTS:

Council member Grim stated that as liaison to the Planning Commission, the item that Mr. Paciulli and Rob Lohr talked about is in need of being addressed so that Council is aware of items.

Council member Grim noted that in regards to the Wine and Food Festival hopes that it can be looked at in the same transition as the Loudoun Grown Expo. Council member Grim talked further about concerns of alcohol at events.

Vice Mayor Jimmerson stated the Wine and Food Festival went well despite the rain. Vice Mayor Jimmerson talked about the Cannons having their first playoff game as well as the high attendance at games. Vice Mayor Jimmerson stated she was supposed to meet with Lebcos to hear about future wireless projects in the County however they did not show. Vice Mayor Jimmerson stated she met with Jason Brownell about projects he would like to bring to Council.

Council member Bledsoe stated he attended the VML Institute for Local Officials. Council member Bledsoe added he also met with Jason Brownell to talk about his initiatives and desire to work with Council. Council member Bledsoe stated he met with the President and Vice President of Legislative Affairs for the Purcellville Business Association about how they can work together with EDAC for promotion of businesses and improving the economic environment for businesses in town. Council member Bledsoe stated he met with a group about a previously presented proposal about the establishment of a religion city, and has spoken with legal counsel and will see where it goes. Council member Bledsoe stated the Wine and Food Festival went well and that he has heard from Visit Loudoun regarding the possibility of establishing a hostel in town.

Council member Ogelman stated he attended his first Board of Architectural Review Meeting as Council liaison and that they approved a design on a canopy over the fuel pumps at the seven eleven along with the addition of two pumps. Also conditionally approved is a building to be built on Browning Court with a few questions on the design which the architect will report back on. Council member Ogelman added he also attended the VML Institute for Local

Officials. Council member Ogelman talked about getting information out to residents as well as being able to poll them.

Mayor Fraser thanked Melanie Scoggins and her team on the success of the Wine and Food Festival as well as the management of the Bush Tabernacle for providing shelter during the storm. Mayor Fraser stated he and Alex Vanegas took a tour of Fireman's Field, Aberdeen property and the watershed property to have a portfolio view of the Town's recreational and park assets and to see if there are ways to monetize them. Mayor Fraser reminded residents of the August recess of Town Council.

Council member Ogelman stated he met with Jason Brownell in an informal setting where he talked about the projects that he wants to do.

Council member Grim stated she also met with Mr. Brownell however shortened the conversation when he talked about building projects.

DISCUSSION/INFORMATIONAL ITEMS:

a. Public Safety Reports

i. Purcellville Volunteer Rescue Squad

Aaron Kahn stated they found the Food and Wine Festival to be successful. Mr. Kahn summarized calls and duty hours for the month. Mr. Kahn talked about the independence of the rescue squad and future communications as well as the bids for a new ambulance, car seat checks/installation and added that Purcellville will be the only facility in the County open to the public for car seat checks and installation. Mr. Kahn stated they have received all approvals to be able to teach CPR courses and hopes to start that in the next ninety days or so.

ii. Purcellville Police Department

Chief McAlister summarized the report. Council member Grim asked if all of the identified calls answered by the Purcellville police. Chief McAlister stated they are Purcellville police calls.

iii. Purcellville Volunteer Fire Company

No report available.

iv. Purcellville Police Citizens Support Team

Mr. Taylor introduced the report. Council had no comments.

b. Public Works Monthly Operations Report

Alex Vanegas summarized the report. Vice Mayor Jimmerson asked about calls regarding the discoloration and/or odor in the water and Alex Vanegas stated the Town received a few calls which were handled on an individual basis.

c. Personnel Update

Rob Lohr summarized the report. Council had no comments.

d. Economic Development Monthly Report

Patrick Sullivan noted that two applications have gone through the process and thanked Public Works and staff for their help. Vice Mayor Jimmerson asked about the O'Toole submission and asked at what point Council would receive and overview of the project. Patrick Sullivan stated that it will go to the Planning Commission first since the request is for a rezoning and comprehensive plan update. Council member Ogelman talked about the citizens sensitivity to growth issues and asked that when a developer comes to staff or Council and is lobbying for a rezoning if that information can be made public. Patrick Sullivan noted that the information is relayed to Council. Rob Lohr added it would take a lot of effort to make things available when there is no further interest or application submitted. Mayor Fraser added that further discussion can take place at the strategic planning session. Council member Grim stated she feels there needs to be a better mechanism to be connected when an application submitted. Vice Mayor Jimmerson asked that Council be made aware when an application is submitted so that they can prepare to answer questions by the public. Dan Galindo added that staff tries to post everything online before the public hearing notice goes out.

Mayor Fraser suggested adding this item to the agenda for the strategic planning session for further discussion.

e. Process for Handling Complaints Against Public Officials

Sally Hankins summarized this item by providing background information and added the item was tabled until the new Council was seated and able to understand the item. Ms. Hankins added that a draft policy and new material were emailed to Council for consideration as to what items to keep and remove.

Mayor Fraser added the action items for Council are to decide which document will be the baseline document and what components to add to that document.

Council member Grim stated she feels the process needs identified and in the strategic session would like to review the code of ethics to implement this.

Mayor Fraser stated he would like to have this item finalized by the second meeting in September and requested a combination of the two documents and to include the selection process criteria that determines whether the issue is valid or invalid. Council member Grim

added she hasn't fully vetted to make sure the conflict of interest and ethics and ordinances need to be incorporated either in whole or in part and will present something to Sally Hankins. Sally Hankins added discussion with Council should take place on what needs added or removed. Council member Ogelman talked about a valid complaint and how a valid complaint is determined and the committee that would establish that. Mayor Fraser stated further discussion on the draft can take place at the strategic planning session and the final decision made at the following Council meeting.

f. Proffer Legislation Effective July 1, 2016

Sally Hankins shared a presentation on proffers. Ms. Hankins answered questions from Council in regards to rezoning's and fees to include legal fees. Mayor Fraser asked about the value of having a policy and the recoupment of fees. Ms. Hankins noted that more information can be provided and discussed at the upcoming strategic planning session.

g. Pedestrian Safety Improvements at Main Street and 21st Street

Alex Vanegas stated residents have complained about the crosswalk at the intersection of Main and 21st Street and vehicles not yielding. Mr. Vanegas stated several meetings have been held to talk about options which are summarized in the staff report, and added that a section of the crosswalk is non-ADA compliant which will be addressed. A second issue is caused by parking spaces on the north side of the street which are critical to the businesses and a third issue is the marking of the crosswalk which is not apparent with just the two white lines. Mr. Vanegas also talked about educational outreach and the yielding of traffic as well as the options to include prohibiting the hours of parking during peak hours, add a thermoplastic crosswalk and/or use decorative stamped asphalt as a crosswalk. Mr. Vanegas stated staff's recommendation is the stamped asphalt with additional signage.

Further discussion took place on the temporary weekend signage, pavement markings and solar lighting. Alex Vanegas stated that whatever Council decides on would need VDOT approval before moving forward and added he would like to reach out to the businesses in the area and let them know about the work.

Mayor Fraser summarized that the choice of Council would be to add the thermoplastic crosswalk. Mr. Vanegas stated he will work with the police department to provide community reach to educate the public.

Council member Grim proposed that in conversations with VDOT talking about other areas in Town that could benefit with crosswalks.

ACTION ITEMS:

a. Chapman Easement – 31st Street

Rob Lohr noted that the Town received an offer to move forward with a property owner who has an interest in working with the Town to potentially provide an easement on a piece of

property he currently lives in and may sell in the near future. The easement would provide for a future sidewalk, sidewalk and potential stop light at the intersection of 32nd/31st and Main Street. Mr. Lohr added this intersection has been asked about by Council previously and further talked about the issues with the intersection, and is seeking direction from Council on moving forward.

Council member Ogelman noted he feels this is an important safety issue to do research on by pulsing citizens.

Council member Grim agrees there are issues at this location and feels that by accepting one easement will not solve issues and added she would like to know what VDOT has to say before considering any legal steps and only supports exploration at this time.

Rob Lohr confirmed via a question from Council member Bledsoe that the purpose of this item is to just obtain the easement and not to install a cross walk or traffic light. Council member Bledsoe added he understands some of the concerns however the goal of the Town has been to make it as walkable as possible and does not see the hesitation in working with a property owner that is willing to give the property to the Town given the future property owner may not do the same.

Council member Grim further clarified she has no problem moving forward with the exploration but not taking legal steps until Council has been made fully aware of what VDOT is advising if taking action and requested to be part of the meeting(s) with VDOT.

Council member Bledsoe added he requests staff to move forward in negotiations with the property owner with the information from VDOT.

Rob Lohr added that by accepting the easement the Town is not obligated to spend any money however will be closer to having the ability in the future to add a sidewalk, light, etc.

Mayor Fraser stated he feels there is an opportunity to take a gift for future vision to talk to VDOT to build something for the future.

Council member Bledsoe made a motion that Council direct staff to move forward with the exploration and legal steps necessary to acquire an easement on the property located at 601 W. Main Street that has been offered to the Town from CaseCo., LLC for no compensation. The motion was seconded by Vice Mayor Jimmerson.

Council member Grim made a friendly amendment that it is for the exploration necessary to acquire and gather the information but not take all the legal steps for making the final decision until the Town Council has been updated on what VDOT has provided.

Council member Bledsoe stated he does not see the difference since Mr. Lohr clarified that any acceptance of the easement formally has to be done by a vote of Council. Council member Grim stated she objects to that and feels that what is being agreed to is spending up to \$3,500 then brought back to Council as a take it or leave it.

Rob Lohr added that staff is ready to do whatever Council wishes however feels time is of the essence and would like to have materials to bring back for Council review in September.

Council member Bledsoe stated he has concerns with limiting staff's ability if the legal steps were removed so that staff could provide Council with a recommendation to take action on.

Council member Bledsoe stated he is against the friendly amendment. Council member Grim withdrew her friendly amendment and added she holds staff accountable for following through on incremental steps that need done for the citizens.

Motion: Council member Bledsoe
Second: Vice Mayor Jimmerson
Carried: 5-0-2 Absent

Grim - Aye
Jimmerson - Aye
Bledsoe - Aye
Ogelman - Aye
Mayor - Aye

b. Options for Studying Future Police Dept. Facility

Rob Lohr stated that the purpose of this item is to develop a methodology or process for looking at options for a future facility.

Council member Grim stated she feels this item should be delayed until the strategic meeting so that all of Council can come together with their vision and then implement something along with citizen participation.

Council member Jimmerson added she feels money spent on this item would be a good idea and to have an expert from outside of Town assist with this.

Council member Ogelman stated he would like to table the item until after the strategic meeting.

Mayor Fraser stated he feels citizen input in this decision is important and would not spend the money on an outside firm before getting citizen input and would also like to add this item as a strategic discussion.

Rob Lohr clarified that recommendations have been made in the last ten years to consolidate.

c. Water Conservation Plan Rebate Program

Alex Vanegas summarized the program and its implementation and noted that since the implementation, most appliances are now water efficient.

Council member Grim stated she researched to see if other municipalities had a similar program and did not find many in Virginia and feels this is a good time to suspend the program until a committee can look into it further.

Council member Bledsoe added he is in favor of suspending the program.

Council member Grim made a motion that Town Council direct staff to suspend the Water Conservation Plan Rebate Program until such time as the Town Council re-initiates the program. The motion was seconded by Council member Bledsoe.

Motion: Council member Grim
Second: Council member Bledsoe
Carried: 5-0-2 Absent

Bledsoe - Aye
Ogelman - Aye
Grim - Aye
Jimmerson - Aye
Mayor - Aye

d. Real Parties in Interest Disclosure

Council member Grim stated this item would impact transparency of land use processes, campaign contributions and the conflicts of interest. Council member Grim talked about staff's difficulty in enforcing it and disagrees and that the document is not different from what committee members sign off on. Council member Grim added the document would require an amendment to the zoning code that it is part of the submission requirements and could be easily put into place.

Council member Ogelman made a motion that Town Council directs staff to move forward with using the Real Parties of Interest Disclosure document from Loudoun and/or Leesburg and begin a similar draft document for the Town not to exceed two pages. This item will be brought back to Council at the first meeting in September for final approval and immediate implementation. The motion was seconded by Council member Grim.

Motion: Council member Ogelman
Second: Council member Grim
Carried: 5-0-2 Absent

Grim - Aye
Jimmerson - Aye
Bledsoe - Aye
Ogelman - Aye
Mayor - Aye

e. Bulk Water Rates

Alex Vanegas stated that with the approval of bulk water sales in June 2016, Council adopted an ordinance that included a bulk water rate and an administrative fee to capture service costs of staff. Because the operational cost is already captured, Mr. Vanegas proposed that the fee be suspended.

Discussion took place about the bulk water rate, payments for service, the administrative fee as well as fees for bulk water that other jurisdictions charge.

Vice Mayor Jimmerson made a motion that the Town Council adopt resolution 16-07-04 suspending the \$50 per day administrative fee until such time as the Town can reconsider its adopted rates and fees for bulk water. The motion was seconded by Council member Grim.

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

Grim - Aye
Jimmerson - Aye
Bledsoe - Aye
Ogelman - Aye
Mayor - Aye

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

a. Presentation Request – Comprehensive Plan Update

Dan Galindo asked Council if they would like to receive an update on the past six months of the comprehensive plan or update of if Council would prefer to be involved in the other community presentations to be scheduled.

Council member Grim stated she would like for Council to receive the presentation and to also get the information out to the public so that they can also attend.

Council agreed on scheduling the presentation specifically to Town Council.

APPROVAL OF MINUTES

- a. July 12, 2016 Town Council Special Meeting**
- b. July 12, 2016 Town Council Regular Meeting**

Vice Mayor Jimmerson made a motion to approve the minutes of the July 12, 2016 Town Council Special Meeting and the July 12, 2016 Town Council Regular Meeting and waive reading. The motion was seconded by Council member Ogelman and approved unanimously.

MOTION TO RECESS THE REGULAR MEETING AND CONVENE A CLOSED MEETING

Council member Grim made a motion as authorized under Section 2.2-3711(A)(1) of the Code of Virginia that the Purcellville Town Council convene in a closed meeting to discuss and consider

prospective candidates for appointment to the Planning Commission. The presence of the following individuals will reasonably aid the public body in its consideration of these appointments, and they are therefore requested to attend the closed meeting:

- 1) All Town Council members

The motion was seconded by Council member Bledsoe.

Motion: Council member Grim
Second: Council member Bledsoe
Carried: 5-0-2 Absent

Bledsoe - Aye
Ogelman - Aye
Grim - Aye
Jimmerson - Aye
Mayor - Aye

MOTION BY TOWN COUNCIL TO ADJOURN THE CLOSED MEETING AND RECONVENE THE OPEN MEETING

Council member Grim made a motion that that the Town Council reconvene in an open meeting and that the minutes reflect no formal action was taken in the closed meeting. The motion was seconded by Council member Bledsoe.

Motion: Council member Grim
Second: Council member Bledsoe
Carried: 5-0-2 Absent

Bledsoe - Aye
Ogelman - Aye
Jimmerson - Aye
Grim - Aye
Mayor - Aye

MOTION THAT THE RESOLUTION CERTIFYING THE CLOSED MEETING BE ADOPTED AND REFLECTED IN THE MINUTES OF THE PUBLIC MEETING

Council member Grim made a motion that the Purcellville Town Council adopt Resolution 16-07-03 certifying the closed meeting of July 26, 2016. The motion was seconded by Vice Mayor Jimmerson.

Mayor Fraser stated Council would have preferred to have made the decision with the full Council present however due to the urgency of the Planning Commission's schedule feels it is priority to make the appointments now.

Mayor
Kwasi A. Fraser

Council
Chris Bledsoe
Ryan J. Cool
Kelli Grim
Karen Jimmerson
Douglass J. McCollum
Nedim Ogelman



Town Manager
Robert W. Lohr, Jr.
Assistant Town Manager
Daniel C. Davis

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**TOWN OF PURCELLVILLE
IN
LOUDOUN COUNTY, VIRGINIA**

RESOLUTION NO. 16-07-04

**PRESENTED: JULY 26, 2016
ADOPTED: JULY 26, 2016**

A RESOLUTION: SUSPENDING THE \$50 PER DAY ADMINISTRATIVE FEE FOR BULK WATER SALES

WHEREAS, the Town Council has the authority to set rates and fees for municipal water; and

WHEREAS, "bulk water" is water that has been treated by the Town but is sold by the Town from a hydrant, generally in large quantities; and

WHEREAS, at its meeting on June 14, 2016, the Town Council adopted Ordinance Number 16-05-01, imposing a \$50 per day administrative fee on the sale of bulk water, in addition to the bulk water rate of \$11.00 per 1,000 gallons of water sold; and

WHEREAS, the Town Council finds that the adopted administrative fee of \$50 per day is too high for the bulk water market; and

WHEREAS, the Town Council desires to suspend the \$50 per day administrative fee and charge for bulk water only the rate of \$11.00 per 1,000 gallons of water sold until such time as the Town Council can reconsider its adopted rates and fees for bulk water.

**A RESOLUTION: SUSPENDING THE \$50 PER DAY ADMINISTRATIVE FEE FOR
BULK WATER SALES**

NOW, THEREFORE, be it resolved that the Town Council of the Town of Purcellville hereby suspends the \$50 per-day administrative fee imposed on bulk water sales until such time as the Town Council can reconsider its adopted rates and fees for bulk water.

PASSED THIS 26TH DAY OF JULY, 2016.


Kwasi A. Fraser, Mayor
Town of Purcellville

ATTEST:


Diana Hays, Clerk of Council

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

Grim - Aye
Jimmerson - Aye
Bledsoe - Aye
Ogelman - Aye
Mayor - Aye

APPOINTMENTS TO THE PLANNING COMMISSION:

Vice Mayor Jimmerson made a motion that the Town Council approve the following appointment/reappointment to fill an expired term on the Planning Commission:

<u>Name</u>	<u>Committee, Commission or Board</u>	<u>Term</u>
Theresa Stein	Planning Commission	Sept. 1, 2016 to Aug. 31, 2020

The motion was seconded by Council member Bledsoe.

Motion: Vice Mayor Jimmerson
Second: Council member Bledsoe
Carried: 5-0-2 Absent

Bledsoe - Aye
Ogelman - Aye
Grim - Aye
Jimmerson - Aye
Mayor - Aye

Vice Mayor Jimmerson made a motion that the Town Council approve the following appointment/reappointment to fill an expired term on the Planning Commission:

<u>Name</u>	<u>Committee, Commission or Board</u>	<u>Term</u>
Tip Stinnette	Planning Commission	Sept. 1, 2016 to Aug. 31, 2020

The motion was seconded by Council member Ogelman.

Motion: Vice Mayor Jimmerson
Second: Council member Ogelman
Carried: 5-0-2 Absent

Bledsoe - Aye
Ogelman - Aye
Grim- Aye
Jimmerson - Aye
Mayor - Aye

Vice Mayor Jimmerson made a motion that Town Council approve the following appointment to fill a vacancy/expired term on the Planning Commission:

<u>Name</u>	<u>Committee, Commission or Board</u>	<u>Term</u>
Brittany Adkins	Planning Commission	Sept. 1, 2016 to Aug. 31, 2020

The motion was seconded by Council member Bledsoe.

Motion: Vice Mayor Jimmerson
Second: Council member Bledsoe
Carried: 5-0-2 Absent

Bledsoe - Aye
Ogelman - Aye
Grim- Aye
Jimmerson - Aye
Mayor - Aye

Vice Mayor Jimmerson made a motion that Town Council approve the following appointment to fill a vacancy on the Planning Commission:

<u>Name</u>	<u>Committee, Commission or Board</u>	<u>Term</u>
David Estey	Planning Commission	July 26, 2016 to Sept. 30, 2018

The motion was seconded by Council member Grim.

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

Grim - Aye
Jimmerson - Aye
Bledsoe- Aye
Ogelman - Aye
Mayor - Aye

ADJOURNMENT

With no further business, Council member Bledsoe made a motion to adjourn the meeting at 10:48 PM. The motion was seconded by Council member Ogelman and approved unanimously.



Kwasi A. Fraser, Mayor



Diana Hays, Clerk of Council

Mayor
Kwasi A. Fraser

Council
Chris Bledsoe
Ryan J. Cool
Kelli Grim
Karen Jimmerson
Douglass J. McCollum
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**TOWN OF PURCELLVILLE
IN
LOUDOUN COUNTY, VIRGINIA**

RESOLUTION NO. 16-07-03

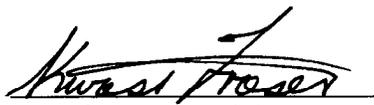
**PRESENTED: JULY 26, 2016
ADOPTED: JULY 26, 2016**

**A RESOLUTION: CERTIFYING THE CLOSED MEETING ON
JULY 26, 2016**

WHEREAS, the Town Council of the Town of Purcellville, Virginia, has this day convened a closed meeting in accordance with an affirmative recorded vote of the Purcellville Town Council and in accordance with the Virginia Freedom of Information Act.

NOW, THEREFORE, BE IT RESOLVED that the Purcellville Town Council does hereby certify that to the best of each member's knowledge, i.) only public business matters lawfully exempted from open meeting requirements under the Freedom of Information Act were discussed in the closed meeting to which this certification applies; and ii.) only such public business matters as were identified in the motion by which the said closed meeting was convened were heard, discussed or considered by the Purcellville Town Council.

PASSED THIS 26TH DAY OF JULY, 2016.


Kwasi A. Fraser, Mayor
Town of Purcellville

ATTEST:


Diana Hays, Town Clerk