



MIDDLEBURG TOWN COUNCIL
Special Meeting Minutes
Thursday, December 16, 2021



PENDING APPROVAL

PRESENT: Mayor Trowbridge M. Littleton
Vice Mayor Philip M. Miller
Councilmember Chris W. Bernard
Councilmember J. Kevin Daly
Councilmember Morris E. "Bud" Jacobs
Councilmember Peter A. Leonard-Morgan
Councilmember C. Darlene Kirk
Councilmember Cindy C. Pearson

STAFF: Danny Davis, Town Manager
Rhonda S. North, MMC, Town Clerk
Will Moore, Deputy Town Manager

The Town Council of the Town of Middleburg, Virginia held a special meeting on Thursday, December 16, 2021 in the Town Hall Council Chambers, located at 10 West Marshall Street, for the purpose of considering the award of contracts for the Town Hall Project and wayfinding and street signage. The roll was called at 5:00 p.m. Councilmember Pearson announced that she was attending the meeting remotely from home for medical reasons. Mayor Littleton led Council and those attending in the Pledge of Allegiance to the flag.

Closed Session

Councilmember Leonard-Morgan moved, seconded by Vice Mayor Miller, that Council go into closed session as authorized under Section 2.2-3711 of the Code of Virginia, for the discussion or consideration of the award of a public contract involving the expenditure of public funds as it relates to the Town Hall Project as allowed under Subsection (A)(29). Councilmember Leonard-Morgan further moved, seconded by Vice Mayor Miller, that the Council thereafter reconvene in open session for action as appropriate.

Vote: Yes – Councilmembers Miller, Bernard, Daly, Jacobs, Leonard-Morgan, Kirk and Pearson
No – N/A
Abstain: N/A
Absent: N/A
(Mayor Littleton only votes in the case of a tie.)

Mayor Littleton asked that Council certify that to the best of each member’s knowledge (i) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the closed meeting, which each member so did. He reminded those present for the closed session that any discussion that occurred within it should be treated as confidential.

Action Items

Council Approval – Award of Contract – Town Hall Project

Councilmember Daly moved, seconded by Vice Mayor Miller, that Council authorize the Town Manager to sign a contract with Cooper Building Services, in an initial amount not to exceed \$10,700,000, for the construction of the Town Hall Project, subject to (1) possible bid reductions based upon revised pricing provided by Cooper Building Services and

value engineering opportunities as approved by the Project Review Team and (2) future change orders as may be approved by the Town. Councilmember Daly further moved, seconded by Vice Mayor Miller, that Council authorize the Town Manager to sign any permit applications required for the Town Hall Project.

Vote: Yes – Councilmembers Miller, Bernard, Daly, Jacobs, Leonard-Morgan, Kirk and Pearson

No – N/A

Abstain: N/A

Absent: N/A

(Mayor Littleton only votes in the case of a tie.)

Council Approval – Award of Contract – Wayfinding & Street Signage

Deputy Town Manager Moore reminded Council that during their last meeting, some questions were raised regarding maintenance responsibilities for the signs. He confirmed the Town was responsible. Mr. Moore advised that during the design phase, the Town entered into an agreement with the Virginia Department of Transportation (VDOT) that allowed for the non-standard sign designs, which allowed for the reduction in the number of signs/poles; however, it also required the Town to cover the entire cost. He noted that the Council had the option of doing the signs for which the bids were not being accepted at a later date; however, they would have to be re-bid.

Councilmember Leonard-Morgan noted the \$103,000 savings by not doing the large vehicle trailblazer signs. He reminded Council that most people used GPS to find their location. Mr. Leonard-Morgan advised that this would also reduce the amount of sign clutter and would provide for smaller, elegant pedestrian signs.

In response to inquiries from the Council, Deputy Town Manager Moore advised that he did not have an exact number as to the annual maintenance cost for the signs; however, he anticipated including an additional \$2,500 in the budget annually. He confirmed the staff would salvage as many of the old signs as possible. Mr. Moore advised that the staff had not yet identified their value.

Mayor Littleton noted that the County’s Zoning Ordinance Committee was working to draft a new sign ordinance and advised that he suggested they coordinate their ordinance with the towns’ sign ordinances to ensure the protection of the gateways. He advised Mr. Moore that he would send him the draft ordinance.

Vice Mayor Miller moved, seconded by Councilmember Leonard-Morgan, that Council authorize the Town Manager to negotiate a contract with Rite Lite Signs, Inc. for Wayfinding Signage and Consolidated Street Signage in an amount not to exceed \$314,073.

Vote: Yes – Councilmembers Miller, Bernard, Daly, Jacobs, Leonard-Morgan, Kirk and Pearson

No – N/A

Abstain: N/A

Absent: N/A

(Mayor Littleton only votes in the case of a tie.)

There being no further business, Mayor Littleton declared the meeting adjourned at 6:15 p.m.

APPROVED:

ATTEST:

Trowbridge M. Littleton, MAYOR

Rhonda S. North, MMC, Town Clerk

December 16, 2021 Middleburg Town Council Meeting

(Note: This is a transcript prepared by a Town contractor based on the video of the meeting. It may not be entirely accurate. For greater accuracy, we encourage you to review the video of the meeting that is on the Town's website – www.middleburgva.gov)

Bridge Littleton: All right. So I called a special meeting to order first item will be roll call.

Chris Bernard: Chris Bernard.

Bud Jacobs: Bud Jacobs.

Philip Miller: Philip Miller.

Darlene Kirk: Darlene Kirk.

Bridge Littleton: Bridge Littleton.

Peter Leonard Morgan: Peter Leonard Morgan.

J. Kevin Daly: John Kevin Daly.

Cindy Pearson: Cindy Pearson. I'm attending from my home because of recovering from surgery.

Rhonda North: Rhonda North, Town Clerk.

Danny Davis: Danny Davis, town manager.

Bridge Littleton: OK, I think we're all good to go. First item is closed session. [off mic] What's that? [off mic] I mean, I don't have the agenda in front of me. We don't have public comment.

Rhonda North: We don't have public comments on this, but we did have the pledge.

Bridge Littleton: We do. All right. We'll do that. All right.

Everyone: [Pledge of Allegiance].

Bridge Littleton: It got moved.

Danny Davis: Yes, that's my fault. That's after Christmas.

Bridge Littleton: We'll remember. Don't worry. Yeah, you want. You want the spirit of America out of the camera view. I got it. I understand. Yeah, it's pretty. It's a big problem. Ok. Next is closed session. Would anybody like to read the closed session memo? [multiple speakers]

Peter Leonard Morgan: I move that council go into closed session as authorized under section 2.2-3711 of the Code of Virginia for the discussion or consideration of the award of a public contract involving the expenditure of public funds as it relates to the Town Hall Project, as allowed under subsection A29. I further move that the council thereafter reconvene in open session for action as appropriate.

Philip Miller: Second.

Bridge Littleton: Any discussion? All those in favor say aye.

Everyone: Aye.

Bridge Littleton: Opposed, abstentions. Ok we are in public or in closed session. Filled with envy? All right. I ask that council certifies the best of each member's knowledge, one only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and two only such public business matters, as identified in the motion by which the closed meeting was convened, were heard discussed or were considered in the closed meeting. I would like to remind those present for the closed session that any discussion that occurred within it should be treated as confidential.

Chris Bernard: Yes.

Bud Jacobs: Yes.

Philip Miller: Yes.

Darlene Kirk: Yes.

Bridge Littleton: Yes.

Peter Leonard Morgan: Yes.

J. Kevin Daly: Yes.

Bridge Littleton: All right.

Cindy Pearson: Yes.

Bridge Littleton: Cindy, I always sorry about that, Cindy. Yeah. All right, Kevin.

J. Kevin Daly: So I can be heard. I move that council authorize the town manager to sign a contract with Cooper Building Services and an initial amount not to exceed 10.7 million for the construction of the Town Hall project. Subject to one possible bid reductions based upon revised pricing provided by Cooper Building Services and value engineering opportunities as approved by the Project Review Team and two future change orders as may be approved by the town. I further move that council authorize the town manager to sign any permit applications required for the town hall project.

Philip Miller: Second.

Bridge Littleton: Any discussion? All those in favor say aye.

Everyone: Aye.

Bridge Littleton: Opposed abstentions. We have a town hall. Next item.

Danny Davis: Bill, do you all want to? Oh, he dropped off. Kevin, you all want to manage our wayfinding project too. [off mic].

J. Kevin Daly: They're all clicking off. What's going on?

Danny Davis: Thanks, Andrew.

Bill Downey: Thanks. Have a good night.

Danny Davis: Thank you.

Bridge Littleton: All right, Will.

Danny Davis: Oh sorry, Bill. You were on mute. We couldn't hear you.

Bill Downey: I'm sorry. I was just, I'm listening in. I was just turning my camera off and muting my mic.

Danny Davis: That's fine. We're good. Thank you, sir.

Will Moore: Thank you, Mr. Mayor. Members of council, I was unable to be with you at your last meeting, as were Council Members Leonard Morgan and Miller, who were crucial to early design review of this project, as well as to the proposed reductions that were outlined in the memo. Happy to be back with you now. I do understand that there were some questions raised during the last meeting, in particular as to maintenance responsibilities, so I have attempted to answer those as best I could. In the memo, I don't think we need to go through those line by line except to say that street signs are indeed our responsibility to maintain not that of the Department of Transportation nor of the county within our incorporated town. I think one thing that was missing from the discussion before was and it should have highlighted, we have in the design phase, we entered into a maintenance agreement with VDOT because these would be located in right of way that they otherwise maintain. So we entered into this maintenance agreement that allowed specifically for nonstandard design, and that is that there was a desire in the design of the project to reduce some of the sign clutter. So instead of having a regulatory sign such as a stop sign or yield sign, plus a separate route, no sign, both of which would be maintained by VDOT, plus a separate signpost with street names on that, we would consolidate all of those into one one array of signs at each intersection. So as part of that agreement, we agreed to that. That would be all at our cost, so they would not be contributing to a new stop sign or a new route. No sign that is now integrated into our street name sign because their signs are functioning perfectly fine as far as they're concerned. So I hope that answers the question as far as maintenance, responsibility and and cost. That's pretty much what I have to offer in addition to what you had before. I think I'll allow, of course, Council Members Leonard Morgan and Miller if they want to elaborate on the proposed reductions. But I think being able to reduce this by a little more than 26 percent of the cost is is really good for us and not losing too much value. We would have the option to add those eliminated signs if we decide after implementation that that is something that we really do want to do. We could do that as a separate phase at a later time. We would have to bid those out again. But but we would have that ability with the approved plans that we already have.

Bridge Littleton: Any questions for Peter, Philip or Will?

J. Kevin Daly: Why weren't you here last week to get this over and done with?

Peter Leonard Morgan: First of all, thanks a lot for the memo here, and I think you explained it all very well. That big saving of one hundred and three thousand dollars is just, to be clear, is on the large vehicle trailblazers. And I think whoever wrote the memo made a good point that of course, most people are now using GPS to get even to the next, you know, the store, let alone to, you know, the Hill School Theater. And in fact, you know, reducing it by that sort of reduces a lot of the larger clutter. And we're going to have a very nice, smaller, elegant pedestrian signs. So I think addition by subtraction, elegant. [multiple speakers]

Bridge Littleton: Hey, Will just one question I had was, have you guys done any analysis or any thought on what the annual maintenance will be? Full cost of ownership, I mean, I get the one cost is to put them in, but then what's it going to cost them to maintain them? Because we certainly don't want to be in the position we're in now where they're all falling sideways. [off mic]

Will Moore: Right, so right. So.

Bridge Littleton: All I'm asking for is a number. Nothing else.

Will Moore: I don't have a number to provide you. Estee may have that number for the wayfinding portion, for the consolidated street signage portion, that is something that I will plan on enhancing our maintenance budget with, but you're probably looking at an additional two thousand five hundred per year.

Bridge Littleton: I'm fine. That's good. That's fine. Darlene.

Darlene Kirk: [off mic]

Will Moore: We intend to salvage as many of them as possible that are in any kind of serviceable condition, and we've not really put any thought into what that value could potentially be at this point in time. [multiple speakers]

Danny Davis: We'll do our best. We will do our best.

Chris Bernard: Let's have a competition to see. We'll divvy them all up among the council members and see you can raise the best money with them. [multiple speakers]

Bridge Littleton: So real quickly, Will I just wanted to bring this to your and Danny's attention. It was probably make sense if you reached out to Ryan at the county. We just on the Zoning Ordinance Committee reviewed the sign ordinance, updated sign ordinances for, you know, the county. One of the points that I brought up was there needs to be coordination between all the towns, so you from Middleburg and the county to align our sign ordinances within a certain distance of each other. So you hit the town line all of a sudden, you're in the county ordinance and it's very different look like as an example, neon is fine. You know, and that was the point raised to them, like, you know, neon is a no go in Middleburg period. [off mic] It's all about signs, right? I mean, wayfinding is signs, right? I mean, and street signs are signs, right? So I will send you the the latest draft that they've got. And it's something that has to be figured out today because the zoning rewrite that won't come out till next may or whatever. But what's that?

Philip Miller: Five years?

Bridge Littleton: I would really it would be great to see if they have an I mean, all they did was listen right. They would have an open mind about coordinating, you know, around that because like, you know, the Cider Barn. Put up a big neon sign right on the front. There's nothing that stops that. And how do we protect our gateways? So not I mean, since we were talking about signs that made me think of it. [off mic] It's interesting. It's like you can't outline your building with neon, but you can have neon anywhere else. It's like, OK, that's interesting.

J. Kevin Daly: Well, we only allow it during this time of year. Have you seen all the homes garishly decorated with these neon lights going on?

Bridge Littleton: Well, especially the big neon one.

J. Kevin Daly: And then there's a tree that's lit up geez.

Bridge Littleton: Anybody have any questions? Other questions for Will, Philip, or Peter? And as everybody on board to go forward. Ok.

Philip Miller: I move the council authorize the town manager to negotiate a contract with Rite Light Signs, Inc. For wayfinding signage and consolidation street signage in an amount not to exceed three hundred and fourteen thousand seventy-three dollars.

Bud Jacobs: Second.

Bridge Littleton: Any further discussion? All those in favor say aye.

Everyone: Aye.

Bridge Littleton: Opposed. We should just start letting Cindy go first. That way, we don't miss it. Ok, that's all good. Any other items? Meeting adjourned. Everybody have a great Christmas.

J. Kevin Daly: Stay safe out there.