



**MIDDLEBURG TOWN COUNCIL**  
**Regular Monthly Meeting Minutes**  
**Thursday, May 11, 2023**



**PENDING APPROVAL**

**PRESENT:** Mayor Trowbridge M. Littleton  
 Vice Mayor Peter A. Leonard-Morgan  
 Councilmember Chris W. Bernard  
 Councilmember J. Kevin Daly  
 Councilmember Morris E. “Bud” Jacobs  
 Councilmember C. Darlene Kirk (arrived late - attended remotely)  
 Councilmember Philip M. Miller (attended remotely – left early)  
 Councilmember Cindy C. Pearson

**STAFF:** Danny Davis, Town Manager  
 Martin Crim, Town Attorney  
 Rhonda S. North, MMC, Town Clerk  
 William M. Moore, Deputy Town Manager  
 Tina Staples, Town Treasurer/Director of Finance  
 Shawn Jones, Chief of Police

The Town Council of the Town of Middleburg, Virginia held their regular monthly meeting on Thursday, May 11, 2023 in the Town Hall Council Chambers, located at 10 West Marshall Street. Mayor Littleton led Council and those attending in the Pledge of Allegiance to the flag. The roll was called at 6:00 p.m.

**Public Comment**

Donna Strama spoke in regard to a “rezoning request to make the historic area a different zoning code”. She advised that parking and traffic were already bad in this area. Ms. Strama expressed concern that if a large delivery truck parked on Marshall Street, it would take up three-quarters of the road. She noted that the applicant indicated the inn employees would park at his cidery barn and advised that there were no sidewalks from the cidery barn to the proposed inn. Ms. Strama noted that trees would also be removed, which she opposed. She inquired as to what was desired for the future of the town. Ms. Strama opined that the Council needed to make a decision quickly related to the inn and suggested that to delay it would not be fair to the potential purchaser. She asked that the Council deny the rezoning request.

Megan Gallagher, 214 E. Marshall Street, advised Council that a lot of her neighbors were concerned about the Planning Commission’s recommendation on the zoning text amendment related to inns in the C-1 District. She further advised that the Comprehensive Plan and zoning ordinance did not give any indication that an inn that would be the same size as the Red Fox Inn could locate on her doorstep. Ms. Gallagher asked that the Council let people know how they intended to handle this as soon as possible and expressed concern that people would miss the opportunity for public engagement if it stretched into the summer months. She expressed hope that Council would vote against the zoning text amendment.

Trowbridge Littleton, 607 W. Washington Street, noted that he served on the Town Council for thirty-four years. He advised that people did not think about the services required as a result of a zoning change, such as parking and shopping. Mr. Littleton advised that these would affect the police department and could result in increased town and county taxes. He opined that the proposed inn was coming at the wrong time and in the wrong location. Mr. Littleton further opined that Middleburg did not need these changes. He advised that people enjoyed the existing shopping and dining and did not want to walk from one end of town to the other to access them. Mr. Littleton asked that Council deny the request.

Margaret Littleton, 607 W. Washington Street, objected to changing the zoning from C-1 to C-2. She noted that the main shopping area had always been in the center of town and opined that it was unnecessary to expand it. Ms. Littleton asked that the commercial development be left in the center of town. She advised that as a member of the Historic District Review Committee, she frequently spoke with residents and shop owners and noted that they wanted to keep the commercial district its current size. Ms. Littleton asked that the Council deny the request.

John Pittman, 12 Piedmont Drive, spoke to proposed Zoning Text Amendment 23-01. He encouraged the Council to look at the issue from the standpoint of its impact on all the C-1 areas in town and whether its approval would set a precedent and encourage further commercial development in the C-1 District. Mr. Pittman noted that the increasing population around Middleburg would bring businesses to the town, who would look to locate in the C-1 District. He encouraged the members of the Council and Planning Commission to walk the C-1 areas so they could see the impact of development on the properties within them. Mr. Pittman further encouraged the members to be pro-active in engaging with their constituents and to listen to them rather than non-resident business owners and business developers. He advised that he was not in favor of the proposal and noted that it was a quality of life and environmental issue.

(Councilmember Kirk arrived at the meeting at 6:15 p.m. She advised that she was participating in the meeting remotely as she was caring for a sick relative.)

Meredith Whiting, 1 Orange Drive, agreed with the previous speakers. She opined that changing the zoning regulations would be a huge mistake. Ms. Whiting advised that parking was not available for the inn's employees and guests, as there was already a lack of parking. She noted the narrow streets in the area. Ms. Whiting reminded Council that the C-1 District was intended to serve as a buffer between commercial development and residents. She opined that to approve the request would be the first step toward increased commercial development and the destruction of the town's historic character. Ms. Whiting presented Council with a handout related to the rezoning of 204 East Washington Street and its effect on Middleburg's historic charm.

Pam Curran, 800 Blue Ridge Avenue, asked that the Council consider the establishment of an architectural control overlay in the R-2 District. She advised that the residents who were improving their homes were not doing so to make money and suggested that applying calculations to all the properties would not be fair to those who only wanted a nice quality of life and to invest in their homes. Ms. Curran opined that applying calculations would keep the residents from maintaining the value of their properties. She reiterated her request that this be done through the establishment of an architectural control district.

### **Discussion Item**

#### **Zoning Text Amendment 23-01: Addition of Inn as Special Use in C-1 Commercial District**

Deputy Town Manager Moore advised Council that there was an overlap of this zoning text amendment with a pending proposal and explained that the proposal for a special use permit would only advance if the zoning text amendment was approved. He noted that at this time, the Council was not talking about the individual proposal and advised that the zoning text amendment was not intended to signal an endorsement of the proposal. Mr. Moore explained that if approved, inns would be added as a special use in the C-1 Commercial District. He advised that this did not involve a rezoning and explained that there was no plan to expand the C-2 District. Mr. Moore reiterated that the zoning text amendment would add inns, with between four and twenty guest rooms and with or without a restaurant, as a special use. He noted that it would not be a by-right use and advised that in order to pursue the use, an applicant must file a special use permit application, which would be reviewed by and public hearings held by both the Planning Commission and Town Council, with the Council then deciding whether to issue the special use permit. Mr. Moore encouraged the members to separate the zoning text amendment from the pending proposal on one property.

Deputy Town Manager Moore noted that his staff report referenced the former Middleburg Country Inn, which was located at 209 East Washington Street, and advised that it was a legal non-conforming use. He opined that there was consensus that the Middleburg Country Inn, which was an eight-room inn without a restaurant that was open to the public, fit well within the area. Mr. Moore advised that under the definition, the Middleburg County Inn would be

considered to be an inn; however, it would not be allowed under the current regulations. He encouraged the members to do a terrain walk of the C-1 areas and noted that some were against residential development; however, some were in areas that were more buffered. Mr. Moore advised that the question before Council was whether they saw value in having the ability to consider lodging in the C-1 District with a special use permit. He noted that the Planning Commission recommended approval of the zoning text amendment and was adamant that the reason for its recommendation was because special use permit applications would be reviewed on a case-by-case basis. Mr. Moore reminded Council that a special use permit was a powerful tool and noted that the Council had the ability to approve an application, deny it or approve it with conditions that would mitigate the impacts of the use. He advised that as to setting a precedent, the only thing that approving the zoning text amendment would do would be to signal that this was an area where a lodging facility could be considered. Mr. Moore advised that he spoke with the Economic Development Advisory Committee about lodging and reported that, while they did not discuss where, they saw value in additional lodging in Middleburg and endorsed the opportunity to provide it in the right locations and when done the right way.

Deputy Town Manager Moore advised Council that a public hearing on the proposed zoning text amendment was scheduled for their May 25<sup>th</sup> meeting. He noted that they were not obligated to act on it following the hearing. Mr. Moore further noted that they could make modifications to the proposed amendment following the hearing, such as reducing the scale of the use. He reiterated the importance of separating the zoning text amendment from the pending applications for 204 East Washington Street. Mr. Moore noted that the Planning Commission was holding the latter applications. In response to an inquiry from the Council, he confirmed there had been no discussion by the Planning Commission on adding an inn as a special use in the C-1 District prior to the pending application.

Mayor Littleton acknowledged that the conversation before the Council was about the zoning text amendment; however, he noted that it was linked to the application for an inn that mapped to the maximum density allowed by definition. He reminded Council that the Town was in a different position than it was in the past when the Salamander Resort was approved, which meant this was a question of choice of whether the Town wanted additional lodging or not. Mr. Littleton advised that the Council could decide the question on the merits of the proposal rather than being pushed to approve it due to external forces. He noted that the people who came out for zoning text amendments were those most impacted by them; however, he advised that everyone had an equal voice. Mr. Littleton suggested the Council needed to make sure it understood what it was doing to the individuals who would be impacted.

In response to inquiries from the Council, Deputy Town Manager Moore advised that the Planning Commission's recommendation was based on the current definition of an inn, which was for between four and twenty rooms. He reiterated that they supported the zoning text amendment because the applications would be looked at on their own merits. Mr. Moore confirmed they did not consider changing the definition of an inn. He further confirmed that, following the public hearing, the Council could consider changing the definition or having a different one that only applied in the C-1 District. He advised that the Planning Commission did not have a discussion on limiting the size of an inn in the C-1 versus C-2 Districts. Mr. Moore reiterated that they used an existing definition and were comfortable forwarding the recommendation based on the fact that the special use permit applications would be reviewed individually. He confirmed there was no consideration of changing the C-2 District regulations. Mr. Moore advised that as to the inn applications, half of the property under consideration was zoned R-3 and needed to be changed to C-1 to support its continued use as parking for the C-1 use.

Councilmember Kirk advised that she was opposed to the amendment.

In response to a comment from the Council that the applications appeared to be bundled because of the timeline of the public hearings at the Planning Commission level, Deputy Town Manager Moore advised that it was a common occurrence for an applicant to take a chance that a zoning text amendment would be approved and file a concurrent application. He noted that in this case, the zoning text amendment was already in process when the special use permit and rezoning applications were filed. Mr. Moore advised that action could not be taken on the special use permit until the zoning text amendment was approved.

Councilmember Jacobs advised that the Planning Commission tabled action on the other two applications because they were not ready for consideration and the feeling emerged that the question was broader than the pending applications.

Mayor Littleton reminded Council that the existing zoning descriptions were developed thoughtfully and called for twenty room inns in the downtown area only. He noted that the zoning regulations called for less intensive uses further out. Mr. Littleton advised that he was not comfortable allowing an intense use in the C-1 District. He expressed concern that there was no analysis or consideration of whether something else would be more appropriate. Mr. Littleton expressed appreciation for the information on vehicle trip counts; however, he noted that it only contained information on the maximum number of trips at the peak hour of the day. He noted that no information was provided regarding vehicle trips for the other hours of the day and opined that there needed to be a multiple variant analysis, since the peak vehicle trips for an inn were evenings and weekends when residents were at home. Mr. Littleton agreed with the Planning Commission's point with regard to special use permit reviews; however, he noted that there was no guarantee the same people would be serving on the Planning Commission and Council when an application was evaluated. He opined that the zoning text amendment would be a signal to the community that the Town was looking for this type of use, which could encourage the consolidation of smaller parcels into a larger one. Mr. Littleton noted the need to understand the potential associated with a zoning text amendment and consider citizen input.

Councilmember Pearson opined that the Council needed to decide how much lodging was needed and how much they wanted the C-1 District to change. She suggested that if the Council wanted to keep Middleburg as a small town, at some point, they must say "no" to development. Ms. Pearson further suggested the Council needed to discuss what it wanted, whether the town needed to be bigger, and whether another restaurant was needed. She questioned how many restaurants could be supported. Ms. Pearson noted the need for input from the community, not the businesses.

Councilmember Bernard suggested a deeper analysis was needed. He noted that the Council needed to determine what it wanted, what made sense and at what level. Mr. Bernard opined that the zoning text amendment had been looked at from the standpoint of "why not" rather than why it should be done. He advised that he would need to be convinced that this use needed to be added in the C-1 District. Mr. Bernard acknowledged that the Planning Commission asked a lot of good questions; however, because the three public hearings occurred at the same time, most of their discussions were focused on the application. He opined that there was not as much discussion on the big picture question of the zoning text amendment itself.

Councilmember Miller agreed that citizen input was critical to the process. He opined that the events had given the perspective that this would set a precedent. Mr. Miller agreed with the need for more due diligence with regard to understanding the long-term effects of the proposed change to the regulations even if it required a special use permit. He advised that from an economic development perspective, such a use would further skew the Town's revenues into the hospitality sector, which was a volatile industry; and, noted that the Town could be harmed during a downturn in that market. Mr. Miller questioned the number of restaurants the town could support and how much was too much. He suggested the need to look at other economic development in order to diversify the uses in the community. Mr. Miller opined that the intensity of the proposed use was too high for the property. He further opined that the zoning text amendment and the special use permit application could not be separated due to their timing. Mr. Miller expressed concern about the proposed location of the inn and opined that the traffic study did not get to the heart of the issue. He advised that he was opposed to moving forward with the zoning text amendment and recommended it be returned to the Planning Commission for further discussion of its implications on all the C-1 areas.

In response to an inquiry, Deputy Town Manager Moore advised that the Council must hold the public hearing on the zoning text amendment.

Mayor Littleton summarized that there was no support for the amendment as it currently stood. He acknowledged that the Council must hold a public hearing and advised that it would be done at the next meeting. Mr. Littleton noted that the Council had a lot of questions and concerns and could vote in favor of, opposed to, or to change the amendment.

Town Manager Davis suggested that if the Council were inclined to say this was not something they wished to pursue, they needed to look at all the planning activities currently on the priority list before asking for an additional level of diligence review. He noted that the question of a zoning text amendment was a policy one.

Mayor Littleton noted that the Planning Commission worked on the R-2 Residential District changes for two years before making a recommendation and advised that the Council was still working on them. He agreed with one of the speakers that it was important to be fair to the applicant and suggested the Council take action on the zoning text amendment following the public hearing. Mr. Littleton suggested it be returned to the Planning Commission, who could take it up as they deemed appropriate.

Mayor Littleton called for a brief recess at 7:13 p.m. He called the meeting back to order at 7:14 p.m.

### **Public Hearings**

#### **FY '24 Budget**

Town Manager Davis reminded Council that they held multiple discussions on the proposed budget and set the real property tax rate at \$.1276 per \$100 assessed value. He reviewed the changes that were made to the proposed budget.

No one spoke and the public hearing was closed.

Town Manager Davis advised Council that the appropriations ordinance would be presented to them for their consideration during their next meeting.

#### **Setting of Water & Sewer User Charges**

Town Manager Davis reminded Council that they held multiple discussions on the Utility Fund and that the staff provided them with a rate comparison with other towns. He noted that the other towns were beginning to face challenges in their operations. Mr. Davis thanked the Council for their willingness to make small rate changes each year and noted that Round Hill was now facing a 24% increase and Purcellville was facing a protracted series of rate increases. He noted that Middleburg's 3% rate increases allowed it to keep up with inflation and the system's capital needs. Mr. Davis reminded Council of the letter of credit that was taken out, which was intended to give the Town time to see what the Salamander residential development would do to the system and advised that the Town still did not know the impact in terms of demand and consumption. He noted, however, that all the houses would have irrigation systems, which would result in additional demands on the Town's utility operations and change the revenue outlook.

Mayor Littleton asked that the staff revise the rate comparison after the other towns' new rates went into effect.

Town Manager Davis confirmed they would. He noted that 80% of Round Hill's users were from out-of-town; therefore, the staff would probably compare Middleburg's in-town rates with their out-of-town ones. Mr. Davis advised that their proposed rate change would bring their rates close to Middleburg's current rates.

Mayor Littleton noted that twenty years ago, Middleburg's Utility Fund was in bad shape. He recognized Councilmember Snyder and the consulting firm who prepared Middleburg's rate model. Mr. Littleton noted that next to policing, the most important items that the Town provided were safe drinking water and the processing of sewage. He advised that the average daily cost for safe drinking water was \$1.30. Mr. Littleton expressed appreciation to all involved in the utility system and noted that their work allowed the Town to keep the rate increases low, while providing for thoughtful investments in the system.

Vice Mayor Leonard-Morgan acknowledged the Utility Committee who provided good advice that the Town then put into action.

Councilmember Bernard recognized the Strategic Finance Committee who also discussed the rates. He opined that smoothing out the rate increases to 3% annually had paid off for the Town.

No one spoke and the public hearing was closed.

## **Staff Reports**

### **April 2023**

Town Clerk North reported that she and Town Manager Davis were working with Mvix on the development of the interactive display for the new Town Hall building. She opined that it would be very nice. Ms. North also reported that she and the other members of the Website Committee were reviewing the concept plans for the Town's website refresh and advised that it was coming along nicely.

In response to an inquiry from the Council, Councilmember Bernard advised that the easiest way to search for something on the website was to use the search and navigation bar.

Town Clerk North noted that CivicPlus recommended limiting the amount of information put on an individual page, as users would only scroll down so far before giving up.

Town Manager Davis advised that the staff already changed the homepage, so the first thing people saw after the banner photo was the newflash items, which contain important information. He noted that this was followed by the calendar, which included the Town meetings and a link to the Middleburg Business & Professional Association's events calendar. Mr. Davis advised that there was a balance between having too many items, which could be overwhelming, and too few, which required too many clicks to find what you're looking for, in the mega menu.

Councilmember Bernard noted that different people would have a hard time finding different things. He advised that the idea was to catch 90% of them.

Town Treasurer Staples noted that Town Clerk North was encouraging her to destroy the paper records that were eligible for destruction before the move into the new Town Hall.

Chief Jones recognized Officer Jason Davis who helped an elderly lady who had gotten lost. He advised that Officer Davis put gas in her car and headed her in the proper direction. Chief Jones reported that the department was ready for Art in the Burg and advised that he was in communication with the Town's event management firm and Mary Ann Burns, Chair of the Middleburg Arts Council.

Town Manager Davis noted that the team was making plans in the event the weather turned dangerous on the day of Art in the Burg.

Deputy Town Manager Moore reported that the Town's contractor was making repairs to the brick sidewalk in front of the King Street Oyster Bar in order to address the trip hazard. In response to a comment from the Council about other issues that were creating problems for those in wheelchairs or with disabilities, he advised that he was happy to address any issues that were reported. He noted that the Town had an ongoing sidewalk inspection program and brought in the contractor on an as-needed basis to make repairs. Mr. Moore reminded Council that some areas of concern would be addressed as a part of a larger project, including those on the north side of East Washington Street, between Madison and Liberty Streets, and on South Madison Street. He advised that some of the sidewalk areas on South Madison Street were temporarily repaired with gravel. Mr. Moore noted that he also met with the contractor to discuss a drainage issue in front of Highcliffe Clothiers.

In response to an inquiry from the Council, Town Attorney Crim advised that his transfer to the law firm of Sands Anderson would be effective on June 1<sup>st</sup>.

Town Manager Davis reported that in the absence of the Business Development & Community Partnerships Director, he would handle economic development issues as quickly as possible. He reminded Council of the kick-off ceremony for the Farmers' Market on May 20<sup>th</sup> and noted that Kim Shelly would coordinate the vendors for the market. Mr. Davis reported that the Middleburg Community Charter School would hold an event on the third Saturday of each month at the market. He noted that a ribbon cutting ceremony was held on May 10<sup>th</sup> for the Woolley Fox.

## Town Hall Project Report

Town Clerk North reported that the chiller unit had been received and that the permanent outdoor air unit was scheduled to be delivered tomorrow. She advised that a large crane would be on site next week to install both units. Ms. North reported that the cupola would be delivered the end of June. She advised that the sod had been laid across most of the Village Green and noted that the outdoor teak benches had been delivered. Ms. North advised that she was working with Quail Run Signs on the installation of the Pendleton Street entrance sign prior to the installation of plantings in that area. She advised that the final coat of paint was being applied in the Admin office areas; the glass inserts were being installed in the doors; the installation of the drywall ceilings was almost complete; the installation of the lighting and receptacles were underway; and, the installation of the restroom fixtures was nearly complete. Ms. North reported that she, Town Manager Davis, Deputy Town Manager Moore, and Town Attorney Crim met prior to the meeting to discuss the draft policies related to use of the Town Hall, use of the Town Grounds and disruptive persons and advised that these would be coming to the Council for their review and consideration soon. (Councilmember Miller left the meeting)

## Consent Agenda

- A. Council Approval – April 13, 2023 Regular Council Meeting Minutes; April 27, 2023 Regular Council Meeting Minutes
- B. Council Approval – Resolution of Support – Application for Source Water Protection Grant
- C. Council Approval – Acceptance of Donations – Chief Jones’ Promotion Reception

*Councilmember Bernard moved, seconded by Councilmember Daly, that Council adopt the consent agenda as proposed.*

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

No – N/A

Abstain: N/A

Absent: Councilmember Miller

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

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## Action Item

### Council Appointments – VML Policy Committees

Town Clerk North reviewed Middleburg’s 2022 appointees to the Virginia Municipal League’s (VML) policy committees. She noted the need to provide the VML with the Town’s list of this year’s appointees.

The Council held some discussion of the policy committees and the members agreed to continue their appointments on the same committees for 2023. Mayor Littleton asked Town Clerk North to confirm with Councilmember Miller that he would continue to serve on the Community & Economic Development Committee.

### Council Approval – Termination of Agreement with Blink

Town Manager Davis advised Council that he was working with Downey & Scott to secure a cost for the extension of power for the X-Charge fast charger at the Town Hall site. He reported that X-Charge agreed to allow the Town to retain 100% of the revenues from it and advised that they also provided a return-on-investment calculator.

Town Manager Davis advised that Blink had provided him with a new contact, who was more responsive. He noted that they continued to have an interest in working with the Town and had quotes to install the Level 2 chargers. Mr. Davis asked that Council either delay action to the next meeting or allow him to see whether he could make any progress with Blink. He suggested they could authorize him to terminate their contract if necessary and allow him to use his judgement as to whether it was, to which the Council agreed. Mr. Davis advised that, at this moment, they were making progress.

*Vice Mayor Leonard-Morgan moved, seconded by Councilmember Daly, that Council authorize the Town Manager to terminate the agreement with Blink Charging for EV Charging infrastructure in Middleburg and seek alternative partners for Level 2 charging options in the Town.*

*Councilmember Jacobs offered a friendly amendment that this would be at the discretion of the Town Manager. Vice Mayor Leonard-Morgan accepted the friendly amendment.*

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

No – N/A

Abstain: N/A

Absent: Councilmember Miller

(Mayor Littleton only votes in the case of a tie.) (on motion as amended)

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Council Approval – Resolution to Initiate Zoning Text Amendment 23-02 Pertaining to Lot Requirements and Building Height in R-2 Single-Family Residential Zoning District and Non-conforming Lots of Record

Deputy Town Manager Moore reminded Council that during their last meeting, they reviewed three options for amending the R-2 Residential District regulations, including: amending and tightening the existing regulations; amending and tightening the existing regulations and adding floor-to-area-ratio regulations; and, establishing an architectural control district. He noted that Planning & Project Associate LaClare was researching the last item and advised that information would be provided during an upcoming Council meeting. Mr. Moore reminded Council that they agreed to pursue the second option. He reviewed the recommended changes that would be involved and advised that if the Council initiated the zoning text amendments, they would be referred to the Planning Commission. Mr. Moore noted the need to schedule a date for the public input session, as well as a date for a joint meeting with the Planning Commission.

Councilmember Pearson advised that during the last HDRC meeting, a member asked that the Council look at the third option.

In response to inquiries from the Council, Deputy Town Manager Moore advised that it would be difficult to get volunteers that were properly qualified to review the applications for an architectural control district. He confirmed the members could live outside the town limits.

Councilmember Jacobs noted the need to develop standards and opined that this would be difficult to do with the existing staff.

Deputy Town Manager Moore reiterated that the staff was looking into this option. In response to an inquiry from the Council, he advised that he would return with some proposed dates for the public input session.

*Vice Mayor Leonard-Morgan moved, seconded by Councilmember Bernard, that Council adopt a Resolution to Initiate Zoning Text Amendment 23-02 Pertaining to Lot Requirements and Building Height in the R-2 Single-Family Residential District and Non-Conforming Lots of Record and to refer the proposed amendment to the Planning Commission for hearing, consideration, and recommendation. Vice Mayor Leonard-Morgan further moved, seconded by Councilmember Bernard, that Council refer the attached (to the agenda) work plan to the Commission for direction.*



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

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Council Approval – Resolution to Initiate Zoning Text Amendment 23-03 Pertaining to Definition of Professional Offices & Associated Regulations Thereof

Deputy Town Manager Moore advised Council that this was a zoning text amendment that he was initiating. He reminded them that the zoning ordinance was amended in the early 2000s to prioritize certain uses in the C-2 Commercial District, many of which were pedestrian oriented. Mr. Moore noted that some of the regulations exempted those businesses that were in existing buildings from the parking regulations. He advised that the amendment allowed office uses by-right on any floor other than at street-level and allowed them on the street-level with a special use permit. Mr. Moore noted, however, that real estate offices were separated from professional offices and were allowed by-right on the first floor. He advised that the Town was seeing an expansion in the number of real estate offices and questioned where they should be located. Mr. Moore opined that they have reached the stage of critical mass in the C-2 District. He reported that the Economic Development Advisory Committee agreed and suggested changes be made to the zoning ordinance so they would not be allowed by-right on the first floor. Mr. Moore recommended the ordinance be amended to treat them the same as professional offices, in that they would be allowed with a special use permit on the ground floor level and by-right on other levels.

Vice Mayor Leonard-Morgan noted that real estate offices produced a lot of foot traffic.

Councilmember Benard noted that different real estate offices operated differently. He advised that there was only so much retail space and opined that it would be difficult to lease space for retail operations if 75% of the spaces were leased for offices.

Mayor Littleton opined that this tied into the earlier C-1 discussion. He noted that tourism was driven by shopping and dining opportunities and questioned what these would look like if 50% of the space in the C-2 District was occupied by real estate offices. Mr. Littleton questioned whether this would damage the retail and dining experience.

Council noted that years ago, when the amendment was adopted, there were lots of empty storefronts.

In response to an inquiry from the Council, Deputy Town Manager Moore advised that real estate offices were not exempt from the parking regulations.

*Councilmember Bernard moved, seconded Councilmember Jacobs, that Council adopt a Resolution to Initiate Zoning Text Amendment 23-03 Pertaining to the Definition of Professional Office and Associated Regulations Thereof and to refer the proposed amendment to the Planning Commission for hearing, consideration, and recommendation.*

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

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Council Approval – Purchase of Replacement Maintenance Vehicle

Deputy Town Manager Moore advised Council that it was not possible to purchase the vehicle on the State Contract and noted that he obtained six quotes for vehicles that met the minimum specifications. He advised that all of them had additional options. Mr. Moore noted that he analyzed the quotes and reported that the total cost of the quote he was recommending was \$700 more than the State Contract price would have been.

Council held some discussion regarding the quotes.

In response to an inquiry as to why the purchase was being proposed at this time, Town Manager Davis advised that the staff was bringing this request forward early due to supply chain issues and the challenges associated with available inventory. He advised that if approved, the purchase would be paid from the FY '23 contingency reserve, which would be offset by the monies that would have been spent on the purchase in FY '24.

*Vice Mayor Leonard-Morgan moved, seconded by Councilmember Pearson, that Council authorize procurement of a replacement maintenance vehicle based on competitive principles including solicitation of direct quotes from dealerships based on the specifications contained in the May 11, 2023 staff report. Vice Mayor Leonard-Morgan further moved, seconded by Councilmember Bernard, that Council approve the purchase of said vehicle from Ted Britt Ford in the amount of \$44,620.42.*

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

No – N/A

Abstain: N/A

Absent: Councilmember Miller

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

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Closed Session

*Councilmember Bernard moved, seconded by Councilmember Daly, that Council go into closed session as authorized under Section 2.2-3711 of the Code of Virginia, for (1) consultation with legal counsel retained by the public body regarding specific legal matters requiring the legal advice of such counsel related to the Town Hall Project contract as allowed under Subsection (A)(8); (2) for the discussion of appointments to the Economic Development Advisory Committee and (3) the hiring of a Town Attorney, both of which as allowed under Subsection (A)(1) . Councilmember Bernard further moved, seconded by Councilmember Daly, that the Council thereafter reconvene in open session for action as appropriate.*

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

No – N/A

Abstain: N/A

Absent: Councilmember Miller

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

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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.

Council Appointments – Economic Development Advisory Committee

*Councilmember Bernard moved, seconded by Councilmember Daly, that Council re-appoint the following members to the Economic Development Advisory Committee for terms expiring December 31, 2023: Mike Kilian, Prem Devadas, David Greenhill, Sean Martin, Vicki Bendure, Cathy McGehee, Duane Ellis, and Lauren Peterson.*

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

No – N/A

Abstain: N/A

Absent: Councilmember Miller

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

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**Information Item**

Mayor Littleton reported that he would be presenting the TDR Program that was unveiled at the Loudoun Together Summit to the County’s Transportation Land Use Committee on May 17<sup>th</sup>.

There being no further business, Mayor Littleton declared the meeting adjourned at 8:50 p.m.

APPROVED:

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Trowbridge M. Littleton, MAYOR

ATTEST:

\_\_\_\_\_  
Rhonda S. North, MMC, Town Clerk

## May 11, 2023 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](http://www.middleburgva.gov))**

**Bridge Littleton:** Thank you. All right. We will call the meeting to order. First item is Pledge of Allegiance.

**All:** I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands. One nation under God, indivisible, with liberty and justice for all.

**Bridge Littleton:** Okay. Next item is the roll call.

**Chris Bernard:** Chris Bernard.

**Bud Jacobs:** Bud Jacobs.

**Bridge Littleton:** Bridge Littleton.

**Peter Leonard-Morgan:** Peter Leonard-Morgan.

**Cindy Pearson:** Cindy Pearson.

**J. Kevin Daly:** John Kevin Daly.

**Danny Davis:** Go ahead, Philip.

**Philip Miller:** Philip Miller, participating remotely.

**Rhonda North:** Rhonda North, Town Clerk.

**Danny Davis:** Danny Davis, Town Manager.

**Martin Crim:** Martin Crim, Town Attorney.

**Bridge Littleton:** Okay. Next item is public comment. I think we've got some folks who are already signed up. This will be the portion of the meeting where anybody who wishes to address the Town Council on any matter may do so. When you come up, give us your name, your address, and then Danny will be our scorekeeper. And run the three minute clock but three minutes is yours for anything you wish to address the Council on. Do remember that Council, you can address anything you want to us, but Council can't engage in discussion. So on the list we had several people call in, so we'll do them or phone in to be put on a list. So we'll go with them first.

**Rhonda North:** Would be Donna Strama.

**Donna Strama:** Okay, great.

**Bridge Littleton:** Ms. Strama, you're up.

**Donna Strama:** All right. Thank you. My name is Donna Strama. If you don't know me, I'm part of the three women in town that are the litter ladies. That's how much we love this town. We pick up cigarette butts, we pick up pacifiers, we pick up everything in this town. I love this town. First of all, I would like to thank you all for listening to my short three

minute program here. I'd like to thank the Council and the Mayor, and I just want to hit some bullet points. And these bullet points are about the rezoning for making the historic area a different zoning code. And first of all, the parking is horrible. If you've ever been to our side of town, you know parking is bad. There won't be much parking for the new Inn that is proposed. Traffic is really bad on that street. It's narrow. It has yellow curbs on one side. So if there are trucks that have to park for the Inn, maybe they won't have to park on the street. But if they do, they'll take up three quarters of the street. That would be not really great for that street. When I was here for the planning meeting, I was sitting behind some gentleman and someone was talking about employee parking. And when the one gentleman that was with the people that were going to buy it, it wasn't the buyer, it wasn't the architect, it was someone else and said, We don't care about employee parking. Well, I do, because if they park at the brewery or whatever it is, cidery, they don't have a sidewalk to walk up to the Inn that they're proposing. Also, I'm very opposed to the downing of the beautiful trees that are on that property. There must be a Magnolia that is 100 years old. There's another Sycamore that is gorgeous. And do we really want this for the future of this town? It's not just this particular proposal to have an Inn there, but it's for the whole area that will be rezoned. Do we really want that for future people? I'm old. I won't see all that. But the people that live here will, the younger people. And I think the Council needs to decide on this really quickly because the owners need to know it's not fair for them, not the owners, the person purchasing it. It's not fair for them not to know what's going on. I've seen people out there with their orange tripods surveying the property. So it isn't fair to the owner, really. And that's about it. Please, please consider voting down the rezoning of our historic, beautiful end of town. Thank you.

**Bridge Littleton:** Thank you, Donna. Rhonda, who was next?

**Rhonda North:** Megan Gallagher.

**Bridge Littleton:** And then after those who called in advance so judiciously, they get extra credit points, we'll just call on any member of the public who wishes to raise their hand and go on, you know, go one by one basis. So, Megan, the floor is yours.

**Megan Gallagher:** Thank you. Hello. My name is Megan Gallagher. I live at 214 East Marshall Street. There are a lot of worried people in my neighborhood. They're deeply concerned about the Planning Commission's approval of a Zoning Text Amendment to add an Inn as a Special Exception Use in the C-1 district. The zoning change is needed for the proposed 20 Room Inn and Restaurant on the border of a district that's meant to serve as a transition between high impact land uses and our neighborhood of nearly 100 dwellings. Neither the town Comp Plan nor the current zoning ordinance give any indication that an Inn the size of the Red Fox could end up on our doorstep blocks from the commercial core where it is allowed. It's no wonder the zoning text amendment came as a shock to many of us. Tonight, I plan to ask the Town Council to please let my neighbors and me know as soon as possible how you plan to handle the zoning text amendment. With summer ahead, I worried that the threat of the significant change in our neighborhood could linger for months and that many neighbors on summer break might miss the possibility of public engagement on the issue. Well wishes do come true. I didn't find it online, but the big zoning package in your agenda show it's a discussion item and that you've already got a tentative public hearing on this matter scheduled for May 25th and that you could even vote that day. Thank you for bringing, I hope you agree tonight to bring this forward in a speedy way. I also hope you'll vote no. Thank you.

**Bridge Littleton:** Thank you.

**Rhonda North:** Thank you. Thank you, Megan.

**Bridge Littleton:** Okay. We'll now go to any member of the public who wishes to address Council. Sir. [laughter]

**Megan Gallagher:** We don't need outsiders. [laughter] Just kidding we love you.

**Bridge Littleton:** And you are?

**Bud Jacobs:** And your address, please?

**Trow Littleton:** Yes. I'm Trowbridge Littleton, 607 West Washington Street. And basically I've sort of seen what new zoning and zoning changes does to the town. And I was on your positions where you are right now for 34 years. So a few things did come in front of us at that time. But some things that people don't really also think about, and that is the services that a zoning will make. It'll like she mentioned a minute ago, it'll change the parking, it'll decentralize the shopping, it'll change the police department's size because you've got more area with more complicated types of policing. The existing residents will be worried about what's going to happen to their place next door to them. County services will have to be increased, which again will increase tax bases and the town taxes will probably have to be increased and which will affect the town budget. I think the zoning is at the wrong time, it's at the wrong location and that we don't need any changes right now I believe in the Town of Middleburg we've been doing very well for a long period of time and the way the shopping is and the restaurants, people enjoy coming to the center of town and they don't really have the greatest desire, I don't believe, to be walking to one end, to the other end of town trying to trying to shop. So I think it will make a big effect on the commercial area. And I think we ought to turn down their request for the zoning change. Thank you. Thank you.

**Bridge Littleton:** Okay. Anybody else?

**Margaret Littleton:** Oh, good. Yay! We live together. Yes. Good evening. I'm Margaret Littleton and I, too, live at 607 West Washington Street in Middleburg. And I'm speaking to you, the Town Council, to object to the change of the C-1 district, to the C-2 district. It will set a precedent, I definitely believe. Our main shopping area has always been in the middle of town, and to expand it seems very unnecessary. The commercial zoning should stay in the center and not spread to the other districts. Being centralized creates the small town charm and historic feel that the shops welcome and it identifies Middleburg. I'm a current member of the HDRC and in talking to many residents and shop owners, they are 100% wanting to keep the current size of the existing commercial district. Please consider voting down this special request in the best interest for Middleburg and its future. Thank you. Thank you. Yes, ma'am. Ms. Whiting or now, don't you all fight for it?

**John Pittman:** We hope it doesn't come to that. John Pittman, 12 Piedmont Drive, Middleburg, Virginia. Just a couple of notes regarding the zoning text Amendment 2301 addition of an Inn as a special use in C-1 Commercial District. I would encourage you to look at the issue from two different perspectives. The first perspective, and I explained this to Bud he knows all about this, is to look at the larger issue and the impact on all C-1 areas throughout the town. The potential impact that that's the big picture as to what might happen if this rezoning amendment is passed. And second, I would look at the question as to whether you'd be setting a precedent or encouraging further development of commercial entities within the C-1 zoned areas. And the reason I say that is just look, all around us, population is growing and will continue to grow with the development. And with an increased population surrounding Middleburg, there are going to be entrepreneurs, business developers looking for space within the town. And if the commercial district is boxed up and pretty solid, they're probably going to focus on that C-1 area. Okay. The area where you want to put the Inn. So I would encourage you both the Planning Commission and the Town Council is to conduct what we called in the military a terrain walk. Okay. And a terrain walk is where you physically get out, away from your desk and the Town Council chambers and walk the ground to see for yourselves the potential impact that this development will have, specifically to 408 East Washington Street, but also to your other areas that are zoned C-1. I would encourage you to do that before you even engage in discussion or make a decision. I would also encourage you to be proactive from the standpoint of engaging your constituents. Your constituents. I had to look that up. Okay. But basically what it is, those residents that reside in town and vote. Okay, those are the people you want to listen to, not nonresident business developers or business owners. You want to listen to your constituents. Obviously, I'm not in favor of the proposal since I live just down the street. My time is up and.

**Bridge Littleton:** John, you can finish your sentence.

**John Pittman:** Oh, okay. Okay.

**Bridge Littleton:** Ten seconds. [off mic]

**John Pittman:** No. And from my opinion, it's both a quality of life issue for the residents of Middleburg, especially those residents that live in the area. But it's also a conservation environmental issue with the trees that are on that lot that probably would be removed. Thank you.

**Bridge Littleton:** Thank you. That's okay.

**Rhonda North:** Mr. Mayor.

**Bridge Littleton:** Yeah.

**Rhonda North:** I will note that Council Member Kirk is on the line. We might want to let her do her roll call thing.

**Bridge Littleton:** Okay. Sure. Darlene, do you want to do your quick roll call?

**Darlene Kirk:** Do I want to hear it? No, I'm fine with it.

**Bridge Littleton:** No, you got to say your name.

**Darlene Kirk:** Oh, Darlene Kirk.

**Rhonda North:** And why you're participating remotely.

**Darlene Kirk:** I'm with sick relatives. I'm taking care of a sick relative.

**Bridge Littleton:** Okay she's taking care of sick relatives. [multiple speakers]

**Darlene Kirk:** To take care of them.

**Bridge Littleton:** Perfect. Thanks, Darlene. Okay. Would anybody else, Meredith? Yes, ma'am.

**Meredith Whiting:** I'm Meredith Whiting. I live at number 1 Orange Drive in Federal Village, just east of town in the eastern end of town. And I would like to first of all, echo all of the sentiments that have been expressed here so far. And I hope that their comments will be taken seriously. First, addressing the zoning change proposal that's part of your discussion tonight. Changing that zoning regulation, the C-1 C-2 relationship visa v residential relationships would be a huge mistake. Not only, as Donna said, would the parking be unavailable for not only employees, delivery people and customers at an Inn that would come after this change if it's allowed. But there is no space now. And people who assume that our little narrow streets Marshall Street, Piedmont Street, Pinkney Street, Orange Drive are available for their parking simply are not aware of the restrictions or the matter that we live on a private drive that is not wide enough to qualify for VDOT services and trying to get two cars past each other when you park is impossible. In any case, I brought along a piece of paper that I would like to submit tonight because I think the visual might help people understand what we're talking about. The C-1 restricted commercial area was designed as a buffer between the commercial and the residential homes, and it is beautifully concentrated. Whoever put the regulation together was extremely sensitive to all three kinds of occupiers of that space. Rezoning 204 East Washington Street, which is we have to understand the impetus for this zoning change proposal is could be the first step in opening Pandora's Box with intense town commercial zoning and destroying the quaint, historic character of our town. There are three diagrams here. One is the current situation. One is [off mic] Yes, of course.

**Danny Davis:** You want to keep one for yourself.

**Meredith Whiting:** Sure. One is the current situation and the other are the steps toward what I hope we will not become. That's all I have to say. Thank you.

**Bridge Littleton:** Thank you, Ms. Whiting. Here you guys go. All right. Anyone else? Yes, ma'am.

**Pam Curran:** Hello Mayor.

**Bridge Littleton:** Hello. Hello, Pam. How are you?

**Pam Curran:** Fine, thanks. Pam Curran, 800 Blue Ridge Avenue. And I wanted to talk again about option number three related to the restrictions on Ridgeview, the R-2 district. That I'm thinking about it again since the last time we talked about it. I mean, obviously the residents aren't developers, so we're not trying to make money. Some of us have lived here for years. Some of us have lived here for decades. And, you know, the truth of the matter is, by using a calculation that would be just uniformly imposed on all changes and all improvements to the property isn't really fair to those of us that just want to have a nice quality of life and really want to invest in our homes. And, you know, the truth of the matter too, is by not looking, I think at each one of the proposed changes that we want to make to our properties, you're keeping us from even maintaining the value of our property. So at the end of the day, we aren't even able to maintain, you know, the value of our property because we haven't been able to improve it without it being reviewed on a case by case basis versus just trying to keep big developers from coming in, buying up our homes and making money, which is not what we're trying to do. So again, I would just ask that we do option number three, where we look at you know form a committee and look at each case on a case by case basis. Resident versus Developer. That's it. Thank you. Thank you.

**Bridge Littleton:** Thank you. Pam, would anyone else like to address Council? Going once. Going twice. We got a full house. Okay. We will now close the public comment session. And I think what we'll do is since we had a lot of commentary on the C-1 discussion, well, I'm going to move that up so we can discuss it now, because I'm sure a lot of I mean, we have it at last on the agenda. I'm sure you all don't want to wait another two hours to hear. [off mic] Yeah. Woo, boy. So. But okay, wait a minute. We have the public hearing. Is anybody here to speak on the public hearings? For the water rates and the budget? Okay, we'll hold those. Let's go ahead and have a discussion now on C-1. That way you folks can hear and then once we're done, feel free to head back for dinner. So with that, I believe it's over to Will.

**Will Moore:** Thank you, Mr. Mayor, Members of Council, let me try to kind of level set what this discussion item is about this evening, because I think and understandably, there's some overlap between the zoning text amendment that you're being asked to have an initial discussion on this evening and a pending proposal that if this zoning text amendment were to eventually be approved, would advance to you for consideration for a special use permit. But to be clear, what we're talking about tonight is not any individual proposal. This text amendment was generated by a discussion surrounding that proposal, but this text amendment is no way intended to signal an endorsement of that particular proposal. This is a text amendment that, if approved, would add a use to the C-1 district. It would not rezone a property from C-1 to C-2. There is no proposal to expand the C-2 Core Commercial District. What it would do, would it would add the use of an Inn as it's defined in the ordinance, which is a lodging facility. As few as a few rooms or four rooms, as many as 20 with or without a restaurant attached to it. It would add that use as a special exception use in the C-1 district. Now what does that mean? That means that it could be considered, but it's not a by right use. What that means is anybody who would want to then pursue that use in the C-1 district would have to file an application for a special use permit, which would have to be reviewed in detail by the Planning Commission, who would have to hold a hearing on that particular application. They would have to make a recommendation to Council that would then repeat that process, holding your own public hearing and eventually deciding whether or not to approve that special use permit. So again, I would encourage you to the extent possible, to separate what is before you for consideration this evening from what you know is a pending proposal regarding one particular property. And why I think that is very important and I touch on it a little bit in the staff report you have. I make reference to the former Middleburg Country Inn, and I think that's a good thing to discuss at this point. So the Middleburg Country Inn was at 209 East Washington Street. That property operated for many, many years. It was what we called a legally nonconforming use. Many people refer to that as grandfathered, so that use existed prior to our current set of regulations. However, there seems to be a broad, if consensus, if not unanimous consensus that that particular use at that particular location fit in very well. Now that was at a certain scale. It was eight rooms. It did not have a restaurant that was open to the public. They simply served breakfast to their guests. But it fell in that range that in between the four rooms to 20, it was what we would currently define as an Inn. That use could never exist. Today by our current set of rules you could never consider that use if it were to come in with an application today. So again, you know, there's a pending application out there that you might have to eventually hear that's on the upper end, the 20 rooms with the restaurant. But this is a broader question of whether you consider the C-1 district. You've seen



the map of that district. I want to echo Mr. Pittman's recommendation that you do that terrain walk. I think it's very important. I think most of you know this town very well. And you can look at that map, but it's helpful to go out there and understand there are parts of the C-1 district that are smack up against residential uses. There are parts of the C-1 district, the south side of East Washington Street, for example, that are more buffered. So again, this is a broader question not related to a specific application as to whether or not you see value in expanding the ability to consider lodging opportunities in that district with a special use permit, always with a special use permit. The Planning Commission in recommending this amendment was very adamant about stressing the fact that the reason they were recommending this for approval was because it would be as a special exception use, not a by right use. This is not a use where if you check all the development boxes, if you meet all the ordinance requirements that we're mandated to say yes, you get approval, this a special use permit is always looked at on a case by case basis, a property by property basis. The potential impacts of that use at that particular location have to be evaluated. So I would agree with the commission in that I would say that the special use permit is a very powerful tool. It gives you the ability to approve or deny based on the specific circumstances. It also gives you the ability to approve with conditions attached, conditions that an applicant might not even be happy with. But you could impose conditions on an application to further mitigate impacts if you thought it was okay to consider at a given location. So there's a lot of talk about precedents and with this set a precedent. And I mean, it would be a signal. It would be a signal to anybody who wants to do a lodging facility that here's an additional area in town where it can be considered. That being said, the power of the special use permit is very important. And the Commission rejected the idea that there's really a precedent set by that. The idea being that they recognize that the special use permit is the way you address those potential issues. So I mentioned in my report, I'll mention again that we also talked with our Economic Development Advisory Committee about the idea of lodging in town. We didn't get into detail with them, with that first discussion about where we're talking about. It was more of a broad question as to whether that Committee would see value in additional lodging opportunities in town, and the answer was a resounding yes. Again, not specific, they weren't endorsing it in C-1. I want to be very clear about that. But they were very adamant that the ability to have additional lodging opportunities in town or just in the general region would be something that would be very valuable. We held that discussion again with a smaller number of the Committee Members just earlier this week, and they reiterated that they would endorse opportunities to provide additional lodging opportunities in town in the right locations done the right way. But again, I don't want to mischaracterize that as an endorsement of this particular amendment, but just wanted to put that out there, that the ability for additional lodging is something they endorse. Again, back to the idea of C-1. I just want to revisit that idea of the Country Inn, just making sure you understand that that could never happen again. The way our current regulations are structured, if you had an amendment, whether it's this particular amendment or a different amendment to expand lodging opportunities. And that's also an option that you can consider. I mentioned in my recommendation section that this is just a discussion tonight. The public hearing, you are required to hold a public hearing. We have proactively scheduled that for your May 25th meeting. You would not be obligated to act on the amendment at that time, but you could. But also after you hold a hearing on an amendment that is before you, you also have the opportunity to make, if you deemed wise, corrections or modifications to an amendment. So what's currently before you recommended by the Commission is to open up this use as a special exception use as currently defined. You might choose to say, you know what additional lodging opportunities in C-1 could be okay. Thinking of that Middleburg Country Inn as an example, but maybe it's not okay at the same scale that it's currently defined, maybe up to 20 rooms isn't okay. Maybe it's up to 12 rooms. Just a random number. Maybe it's okay up to x number of rooms, but maybe it's not okay with a restaurant that's open to the public in that district because that might be more of a change to that district. So those are some of the options that you would have. This does not have to be an eventual up or down vote on the amendment as you currently have it defined. You could consider making changes after you hold that public hearing as well. That's a lot of me talking. I hope that helps better frame it a little bit though. I do think it's important for Council to try to separate consideration of this amendment from the pending application for 204 East Washington that the Commission is holding on to at this moment. And we'll be further working on with the applicant at their meeting later this month. But it was important, I think, to give a little bit of separation between this amendment and that potential application because this amendment has broader implications, I believe. With that, Mr. Mayor, it's yours.

**Bridge Littleton:** Will, thank you.

**Will Moore:** Yes Sir.

**Bridge Littleton:** So a couple of things real quickly. I know folks will have questions for you and we're probably just going to have a discussion about it again, to level set where everybody is. Was any of this consideration of putting an Inn as a special use exception? C-1 discussed by you guys or Planning Commission at all prior to the filing of the application?

**Will Moore:** Prior to this? Yes.

**Bridge Littleton:** So the Planning Commission had been looking on their work plan that they were wanting to put an Inn in C-1?

**Will Moore:** No.

**Bridge Littleton:** Okay. So it was the.

**Will Moore:** No. Two different questions, though, sir, you asked prior to filing an application?

**Bridge Littleton:** No, no, no.

**Will Moore:** But this.

**Bridge Littleton:** This project is what started the conversation.

**Will Moore:** That is correct, yes.

**Bridge Littleton:** Okay. So prior to that, this was not on the Commission's Work Plan?

**Will Moore:** Correct.

**Bridge Littleton:** Okay. All right, good. Is it also correct? And this is a leading question, so I'm just going to state it. I do think it's important to note that while you're absolutely right, what is before us tonight is a conversation about the zoning text amendment, not this project. I think it is important to reflect the fact that this project maps exactly to the maximum intensity that this definition is seeking. So they are linked. So, so, okay. I mean, we have to think about the big picture, but there is a direct link. Okay. So the only other thing I wanted to mention was and the reason I mentioned this because I think back to Salamander. Right? And that was a huge public conversation that was a lot of tough choices made by a lot of people. You know, in a perfect world and everything was going great, you know, and I'm not this is not a commentary that Salamander has been bad for the town, but everything that good, you know, also has some negative impact, right? If we're in a perfect world where we weren't broke and didn't need an \$8 Million dollar water treatment plant and, you know, all these other things, would the decision be the same or been different? I don't know. I'm sure the negotiating position would have been much different. You know, maybe there wouldn't have been 49 homes, Who knows? Right. And I'm not again, this is not disparaging anybody at the time. Where I'm making the comment for us to consider is we're in a much different position today as a town than we were back then. We're not broke. We don't have a water treatment plant that was failing that needed an \$8 million dollar replacement. Right. So we're actually running near million dollar surpluses. We've got a very healthy fiscal reserve, you know, and our businesses are doing well. Our community is doing well. So the nice thing about having this discussion in today's environment is this really is ultimately a choice of whether we want it or not. And there's nothing else that is forcing us or pushing us to have to go. Well, I you know, not so sure, but we need the revenue or but we need the assistance on utilities. So I think the good thing is. Right, we really, really can sit here and decide on the absolute merits of the proposal without any other exterior force pushing us one way or the other. Because again, we have to make a really hard choice. I don't envy that Town Council back in 03 or 04 or whenever it was. Right. And I know it was a hard vote, I mean it barely passed. So and I think really for Council, that's, you know, it's a good place to be in. Right. So and I think and then the last thing the commentary I'll make and I've got other questions but we need to open up to everybody is being on the County Zoning Ordinance Committee when the county is as big as it is. It is interesting when zoning amendments come along and zoning and things like that where you see the folks come out who are really impassioned about a certain zoning amendment, most of the time they're located right

where that thing is going to make the most impact. Right. And I think what's interesting about most of the folks here is they're the ones next door who potentially this application because it's on the deck, but would be most impacted first. So and I was thinking in my mind, you know, everybody has an equal say. Everybody has an equal voice. But, you know, the ones who get impacted the most right there is that extra level of we have to make sure we know what we're doing to, you know, an individual or that that subgroup of individuals and that that's okay. Okay. So I think what we'll do is everybody who's got questions for Will, let's do that first and clear that and then we'll just have a discussion on what everybody thinks. So who's got a question for Will? Kevin.

**J. Kevin Daly:** I was an infantry, I was armored cavalry. So I walked the terrain and I can find my way around town. And in fact, I stayed at the Inn you're talking about. And that was at the intersection of South Jay Street and East Washington Street. And as I recall, it had eight bedrooms that they did serve breakfast, but it had ample parking and a large field behind it. So the question I have is, why are we not keeping the amendment to no more than six as opposed to 20, which would require extensive architectural changes to the back of the. [inaudible] This proposal that's coming out for the amendment. Why are we going up to 20? Why are we going beyond what has been used in the past?

**Will Moore:** Okay. Again, this is where the two items get mixed up a little bit. I think the short answer is the Commission recommended this amendment using the current definition of Inn which is between four rooms and 20. That's and again, their statement that they made in making that recommendation is they supported it because each individual application that would be forthcoming would be looked at on its own merits. What does that mean? That means that if you get an application that is for 20 rooms and has a public restaurant, that's going to probably involve a much higher level of scrutiny on how that impacts the adjoining properties than an eight room one across the street from that particular one that doesn't have a restaurant. So they believed so much in the, they the Commission believed so much in the power of the special use permit and the fact that they will spend the time evaluating that application as you would once they forwarded it to you, that that was the protection that was needed. So there was no consideration to should we change the definition of an Inn. It's just like we'll add it, but we'll add it as a special exception use because we know that through that special use permit process, the application would be thoroughly vetted when it was heard. I hope that helps to answer the question.

**J. Kevin Daly:** Follow on. So by definition. Can that definition be amended to say no more than six bedrooms, no more than four bedrooms?

**Will Moore:** So as I touched on in the overview, you have the option after the hearing. So after your public hearing that you would have at your next meeting in two weeks, you have the option to vote yes, vote no. You also have the option to make amendments to the amendment; changes or corrections is the way it is worded. So what would that mean? Maybe you change the definition of an Inn, or maybe you change only the definition of an Inn as it would be considered in C-1 and you leave it as it is and other districts in which it may be considered. So that opportunity would exist. Yes. But after your hearing.

**J. Kevin Daly:** Thank you.

**Chris Bernard:** Can I ask a follow up related to this? Was there a discussion about limiting the size of an Inn in C-1 versus C-2? Did they even get to that point?

**Will Moore:** No.

**Bridge Littleton:** Why not? I mean, you're proposing that to us. Why wasn't there any conversation on does 20 feel right? And what was the analysis that 20 met the mark?

**Will Moore:** Again, it's a definition that currently exists. And the Commission was comfortable forwarding that recommendation to open that up in C-1 with a special use permit knowing that that could be looked at on a case by case basis. There was no analysis given to should the definition change or should the definition as applied to C-1 change? Yeah.

**Bridge Littleton:** Okay. Who else has got questions for Will? Peter.

**Peter Leonard-Morgan:** Thanks very much. Will, I realize that we're looking at going to two. Am I correct in thinking two zoning amendments? Right. One from R-3 and one from C-1. Just or to C-2?

**Will Moore:** No, no. So that's again, that was kind of and with all due respect to the public, because they don't deal with zoning on a day to day basis, it's understandable how it gets confused a little bit. There's no changing anything to C-2 that's not currently C-2. The idea is that the regulations in C-1 would be expanded to allow an inn to be considered in C one with a special use permit. Now there's a separate application, again muddying the waters a little bit for a particular property. Half of that property is zoned C-1, the rear half of it, which is a commercial parking lot, a grandfathered commercial parking lot, is currently zoned R-3. If that proposal were to move forward, they would need to change the zoning of that R-3 parking lot to C-1, not to C-2. Just so we could support a use in C-1. So I hope that helps.

**Peter Leonard-Morgan:** Yeah, sorry, I kind of misspoke. I understood what the process was, but because I think that parking lot is very key to all of this. There's a lot of passionate discussion here. Understandably, many of us live in that area as well. So traffic already. I mean, today I was walking the dog and I always see plenty of cars avoiding Washington Street just to get a little bit quicker to the other side of town.

**Bridge Littleton:** I do.

**Peter Leonard-Morgan:** Indeed, indeed. Talk about the Inn and the B&B. I was very sorry when we lost the I call it a B&B. That was the Country Inn. And I thought it was four rooms, but maybe it was more.

**Will Moore:** It was 8 guest rooms.

**Peter Leonard-Morgan:** Eight guest rooms. Yeah. And then turning that into an office was sort of a bit of a shame. It was such an iconic building there. But they did have the parking at the back, which they still do. So what you're saying is that really this amendment or proposed amendment could be discussed, could be modified, it could be toned down to 4 or 6 rooms. Whether that makes economic sense to anyone who wants to do that, that's another question.

**Will Moore:** Yes, absolutely.

**Bridge Littleton:** Any other questions for Will? Let me. Hold on.

**Megan Gallagher:** I have one?

**Bridge Littleton:** Sorry. Let me ask Philip or Darlene, since if you guys have any questions for Will and then Chris has got a second question. [multiple speakers]

**Darlene Kirk:** I don't have any questions.

**Bridge Littleton:** Okay. Go ahead, Darlene. I'm sorry.

**Darlene Kirk:** I was just saying I don't have any questions, and I'm totally against changing it. I like it as it is.

**Bridge Littleton:** Okay. Chris, go ahead. You had a question?

**Chris Bernard:** Bit of a process question. So on the April 24th or whatever, the Planning Commission had a public hearing. Special use permit for a hotel. I'm a little confused about the timeline of that because currently that's not even a listed use that's available for a special use permit. So I feel like we're supposed to look at these individually, but they've all been bundled together. It's kind of hard to untangle them.

**Bridge Littleton:** Hey, Chris, let me ask. Is the question, how could you have a public hearing on something that's not permitted?

**Chris Bernard:** Yeah, kind of.

**Will Moore:** Yeah. It's a common occurrence that when a zoning amendment is in process, that an applicant will roll the dice on paying the fees and doing the work to package an application that is dependent on an amendment that is in process. If there was no amendment in process, we would reject the application. But because the Commission the previous month had initiated the amendment, he could take the chance that he's not going to get his \$2,000 application fee or the design fees and everything that he's invested he had.

**Chris Bernard:** [off mic] Initiated for. [off mic]

**Will Moore:** No they initiated. But then they had to hold the hearing the next month. So that's how that worked. Now, you could not eventually take action on it yourselves as Council to approve until if and when ever you approve the amendment.

**Bridge Littleton:** Hey, Bud. I got a oh, I had a quick question for you.

**Bud Jacobs:** Let me just issue one clarification, if I may. To answer your question, Chris, the Planning Commission deliberately turned away the other two proposals. [off mic] Well, that was scheduled. I don't know if it's good or bad, but we turned those two applications away and the thinking really was based on two important facts. One, the applications themselves were not ready for prime time, not by a long shot. There's a ton of work that's going to have to be done if they're ever going to see the light of day in Middleburg. And the second reason was that I think a feeling emerged that the question before us to allow an Inn as a special exception use in C-1 was a bit broader than just the two pending related applications for that property. You agree with that Will?

**Will Moore:** Yes, sir.

**Bud Jacobs:** So to answer your question, the discussion really severed the other two. We didn't even discuss them. As a matter of fact, we just rejected them and said they're not ready. We didn't reject them. We pushed them away. We tabled them.

**Bridge Littleton:** So I had a question for you. Unless anybody had any other questions for Will. Okay. Bud did you want to provide any before we go into a bigger discussion, did you want to provide any feedback from the Commission or anything you thought might be relevant?

**Bud Jacobs:** No, I think Will's done an admirable job of laying it all out. I don't have anything additional to say.

**Bridge Littleton:** Okay, awesome. So. I guess initial thoughts, unless anybody wants to add? Well, the couple of things I wrote down. I'll go first. The first one was something you mentioned in your memo, but I think is really important, right? Is you know when these zoning descriptions were created. Right, they were created very thoughtfully with intent and deliberation and hey, a 20 room Inn which, by the way, is basically the Red Fox. I mean, there are 22 rooms. So that's an Inn in a restaurant, right? We want those downtown and downtown only. Right. And as we go further out, we want less intensity. So I get the point of starting with, okay, maybe 20 rooms inn, but I don't feel comfortable that the starting point is the most probably intense use you could do in C-2 and even in C-2 it's only by special use permit. Right. So I'm concerned that we haven't done any other analysis that something else might be more appropriate. Right. So your point about the Country Inn. Right. Well, we have the definition of B&B which is a by right use right now in C-1. Right. I think it's limited to four rooms or is it three? Maybe increasing it to six is what feels right. Right? No restaurant. You can have a B&B. It could be six rooms. That's it. But I don't know because there's literally no analysis. So I've got a concern with that. Right. And so that would be the first thing. The second thing is, I do appreciate you guys doing the parking. No, it wasn't parking trips. It was trip count. Yeah. I mean, and that was very helpful. So but my concern with that is when we're looking at this zoning as a district. Right. That is not so if I understand it, let me make sure I got the report

right. You guys use the traffic bureau whatever it was, they have a standard metric for how to figure these things out. And that's great, right? Because it's a standard math formula. And it was what is the maximum amount of trips expected during the peak hour of the day? Okay. So there's nothing there in terms of other hours of the day, or are those peak hours, four hours combined? Right. And again. Right. It's just if there is a peak hour, what's the peak look like? Not and not when the peak is. And actually, I should be this you know, I'm saying this generally. Right. So my concern about the traffic analysis is it's the beginning is a good one item point, one data point. Right. But this is not a univariant analysis. This is a multivariate analysis, right? It's about if one of the uses is 50 trips in the peak hour, are there three hours which are within plus or -5% of that peak, or is it only one hour? When does that peak happen? Right. So I looked at the one there was 50 trips for a daycare. Right? Exactly. So, sure. But that's probably 8:30 to 9:30 in the morning and 4:30 to 5 in the afternoon, Monday to Friday. Well, this is a residential neighborhood. The peak trip hours for an Inn are going to be likely in a restaurant, are probably going to be evenings and weekends. So the daycare, it's going to be in the morning and afternoon when most people are at work and or school. And then in a restaurant is going to be at night and weekends when people are at home and walking their dogs and their kids are playing and stuff like that. So like I said, it's a multi variant kind of analysis that needs to be thought through on the parking. And the last thing. Well, two last things. I agree with your point about the special use permit. Right? That's a great control tool, but I can't guarantee that you'll always be here. I can't guarantee that Will, will always be here. And I can't guarantee that that Planning Commission will always be here. So it's like when Prem comes in and gives a discussion about, Oh, Salamander will always do X, Y, and Z. I trust him and I trust he and Sheila. But he and Sheila won't be running Salamander forever. At some point there'll be another owner who may decide to do something different. And I'm not saying it's bad that, you know, 30 years from now there's a different Council and a different Planning Commission who want to and the community wants to go in a different direction but force them to have those conversations then I think is better. And then the last thing, the last thing I'll add is that. And again, we struggle with this at the county on the zoning amendments. Now, at the county, it's way harder because when you change a zoning definition, there are literally hundreds or thousands of parcels that are impacted in there everywhere. So you really got to look at how that snake could potentially harm everybody. But here, you know, we've got over 30 parcels or whatever it is that is in C-1. And, you know a zoning text amendment is a signal to the community that we're looking for this type of use, that we think it's a good idea, that we want to encourage it. You know, there's several parcels which would be potentials for a 20 room Inn. Not many, but, you know, somebody could buy a couple of parcels, cobble them together and then there's another one. So not understanding what those potentials look like and, you know, having that feedback again, I think is, is really, really it draws a lot of concern. And then the only thing I reiterate, I love the position that we're in and that, you know, if we don't want to do it, there's nothing holding a gun to our head. So we really can just be, you know, as direct as we want about it. And I think plus two, right, this is one of those ones where citizen input is really important because it's right up against residences. So, okay, I'm done. I'm going to be quiet. Anybody else? Any inputs, Cindy or. Yeah, go ahead.

**Cindy Pearson:** And I'm going to say that we need to decide on how much do we need and when do we stop with the town getting bigger and more and more and more, you know, in the little area that we're restricted to? Do we really need another inn? You know how big? Do we or how much do we want to change this district? You know, I really like the special use permit thing. That is it. But I agree with what you said. But it can change down the road. Totally. Anyway. Years from now. 50 years from now. But if we want to keep this a small town, at some point, we have to say no. I mean, it's like the county. You would think at some point somebody would stand up and say no, But they don't know how to say no. They're afraid somebody is not going to vote for them or whatever. But I think that we as Council need to have a discussion more of what we want. If the town needs to be any bigger. If we need more restaurants, if we I mean, we're having, you know, it's possible we've got another restaurant coming to town. It's possible an older one is coming back with something again. Do we need another restaurant? How many restaurants can we support? I mean, so I think at some point I don't know how that we need to sit and discuss more of what we really with the input from our community, not the businesses, what we need and need to have. [applause]

**Bridge Littleton:** Anybody else?

**Chris Bernard:** I got things. I had things. [off mic] Oh, boy. I guess really from a process perspective. Because I will echo what a lot of you have said is, I think, a deeper analysis needs to be done on one do we want this? Does it make sense? What level of it makes sense? And I keep coming back to a couple of things. The one is. In science, there's the idea of the null hypothesis, and I feel like this has gone so fast that it's we've almost been looking or not. I say we it's

been looked at through the lens of, Why not as opposed to why? And I think we really just need to take a hard look at it was a conscious decision by the people who wrote the zoning ordinance not to put it in. They excluded it. And because it's excluded. Not a permissible use. So I think something. Someone would have to really convince me that it needed to be added and that it couldn't be found in C-2 or C-3. And then I just think the Planning Commission asked a lot of good questions at the public hearing. I would encourage people to go back and watch both there, I guess, the discussion when it was first presented and when they had the public hearing. But I think a lot of the questions and because the three pieces were put in front of them at the same time when they had a chance to discuss it, it felt very loaded on the actual like the parking. And how do they get, you know, the right amount of cars in. It was very little about the actual big picture zoning stuff. And I don't know, the Planning Commission does great work. I think they really look at a lot of the problems that we have, especially like what they're doing in R-2. And I think everyone just got caught up and we really missed the big picture of like, this is a big zoning change for us and it has happened in the course of two months. Yeah. I think that's it.

**Bridge Littleton:** Philip I just saw your hand up.

**Philip Miller:** Yeah. I've got a couple of thoughts. Bridge, I appreciate that you said the citizen input point because that's incredibly important and obviously people have been very vocal and that's critical to our process from a process perspective. While Will, I appreciate you explaining that this zoning amendment and the proposal on the table needed to be separated. I unfortunately think based on the events and the timeline with which these two things have been taken up, gives the perception that it sets a precedent, that we would be looking at more spot type zoning changes to include additional uses against that completely. I don't think that should be our process. I agree with what Bridge said about the need for more comprehensive due diligence and understanding of the long term effects of this change as an available option within C-1, even if it is just a special use permit. I know I go back to looking at short term rentals and thinking about the lengthy discussions and input and due diligence that we did to make that a special use permit, and it still is. And that was a very important thing for us to make sure that it had as many confines on that permit as possible so that it could be highly restricted, which was also the desire of our residents and our constituents. And I think we need to respect that and understand it and take it into account in our process. On the economic development side, Bridge, I agree with you that we are in a very different position. But I also would say that from an economic development standpoint, a use of this type would further skew our tax revenues into the hospitality sector, which we have said time and again is a very volatile industry and potentially one that could harm us in the future if an economic downturn were to take place. We are highly reliant upon hospitality, and that's to Cindy's point as well with the restaurant question. How many can we support? How much is enough? How many are too many? So it's not that we need it. We are in a great place. And I think that it would be detrimental for us to not look at other uses for C-1 that could further diversify our economic development within the town for the industrial uses or whatnot. And just a quick comment on that individual plot and proposal for an Inn. You know, I think the intensity is just far too high because I don't feel like we can really, truly separate the two issues tonight because I said as the timing has just created that perception one way or the other. But I question whether or not that intensity is too high for many of the other C-1 areas on this map that I've been looking at and walking around and considering, you know, but that particular parcel, you know, you consider the parking of the two cottages right there on the south side of Madison and where those residents are parked there, how narrow it becomes, it definitely poses concerns for safety and for traffic. And I don't know that that traffic study really gets at the heart of the issue of that particular intersection and that intensity. So for all of those reasons, I am very much against moving forward with this zoning amendment. And I would say that it should be sent back for far from the discussion and much more due diligence that has to do with all the potential implications on the C-1 district.

**Bridge Littleton:** Hey, Darlene. Did you have anything you wanted to add?

**Darlene Kirk:** No, I just again, I'm not for making any changes to that district, that's all.

**Bridge Littleton:** Okay. Thanks. Did anybody else have any other input? Going once. Going twice. Okay, so. So if I understand this correctly, Will we have to have a hearing? Right? Oh, we got to have a public hearing and then eventually we'll have to either vote it up, vote it down or change it or do whatever. Right?

**Will Moore:** Yes.

**Bridge Littleton:** Okay. So does any. So the sense I'm getting is that and again, you guys correct me if I'm wrong, I don't think there's support for it as it currently stands, sort of the feeling I'm getting. So there's a number of paths that we can go down. The one path would be to I mean, we got to have the public hearing no matter what so we can set that for the next meeting. I think what we've come out of here with is a lot of questions. I mean, a ton of concerns, a lot of questions as it stands. It's not something that is viewed as favorably. So if we go to the public hearing and then we have a vote on it, I guess our choices are vote it up, vote it down, change it, which then puts a lot of work on us. If we want to go down that path or well, I guess that's it. Vote it up, vote it down or change it and continue to discuss it. So looking at it holistically. The question. I'm trying to think about the right way we want to do this. So.

**Danny Davis:** Mr. Mayor.

**Bridge Littleton:** Oh, I'm sorry, Danny. Yeah.

**Danny Davis:** So not to [multiple speakers]

**Philip Miller:** If within two weeks, our public hearing would be in two weeks. Right. So could we even potentially address the due diligence questions that we've asked tonight in that time period.

**Danny Davis:** I don't want to speak for Mr. Moore, but I'll get to that in one quick second, Mr. Miller. I will say, I think if the inclination of the Council is that this is not an amendment that you are inclined to pursue or proceed with, we also need to step back and look at all of the other zoning and planning activities that you have on your priority list as well. And so putting a significant effort.

**Bridge Littleton:** I understood. [multiple speakers] I hear exactly. It's a workload. It's a workload burden that we're not able to handle right now.

**Danny Davis:** To go to a level 2 potential levels. One is to I mean, if you were to say, yeah, we're okay with an Inn at ten rooms, well, that's a text change that doesn't take more than 30 seconds. But to get into Mr. Miller's point about an additional level of due diligence, whatever that might look like, because due diligence in a text amendment is completely different than due diligence for a particular application.

**Bridge Littleton:** Sure, sure, sure.

**Danny Davis:** Much of a discussion about a text amendment is very much policy. It's less tangible and less hard figures. Now, you can create as many multiple scenarios as you would like to say. What if these three did this and those four did this? But it's all theoretical. But that's where you start turning a potential revision to a zoning text amendment or a request for further due diligence in that manner into a significant work product. So you hear where I am with that.

**Bridge Littleton:** I totally get it and totally get it.

**Danny Davis:** So again, I'm not saying you only have two choices.

**Bridge Littleton:** No, no, I got you.

**Danny Davis:** I think if the if the detail of information that you might be thinking is available, it's not just a perhaps readily available.

**Bridge Littleton:** Understood. So here's how I would so I 100% agree with you. I think the way to think about it is and I think taking the Planning Commission's detailed work on R-2 let's use that past performance is indicative of future behavior or whatever it is. You know, the Planning Commission worked for two years on that, right? And that was a zoning text amendment. Right? And you guys hired Berkley and you came up with a lot of analysis and a lot of scenarios to be thoughtful about it, to understand what the options were. And it was very well grounded and very well supported. Right now, that's a lot of work. That's a lot of time again, you guys Bud on the Planning Commission took two years, you



know, working with that and we're still working on it. So I maybe the way to approach this and someone said earlier, I think it was Donna, it is important to be fair to the person, the applicant who's waiting, who wants to make business decisions, to give them clarity. Right. Maybe it is we just evaluate it as yes or no at the hearing and then go back to the put it back to the Planning Commission that, hey, if this is something where, you know, when time permits, when you've got resources, when it's, you know, it's right for you guys. And if the Planning Commission as a whole says, no, we think this is a very valuable conversation, we want to come back with something less intense, maybe an Airbnb or not Airbnb, good Lord, a B&B type approach with a little extra. [laughter] We leave it to Planning Commission to you guys for them to take as and when they deem most appropriate. How does everybody feel about that?

**Chris Bernard:** When R-2 is [off mic].

**Bridge Littleton:** Right? Yeah. Yeah, right now, Yeah, exactly. But no, it gives the applicant right now clarity of exactly where everything stands. Right? [off mic]

**Chris Bernard:** If we go to start making changes, whatever that's going to drag out and they're just sitting there waiting. Yeah.

**Bridge Littleton:** Yeah. Okay. So, okay, well, let's put the public hearing on the agenda for next month. [multiple speakers] or next meeting. Yeah.

**J. Kevin Daly:** Okay. And that will include our vote of [multiple speakers] Yeah.

**Bridge Littleton:** And then we'll vote on it there. Yeah, we'll vote on it that night. Okay. Is that helpful for you guys? Clarity.

**Will Moore:** Very helpful. Yeah.

**Bridge Littleton:** Okay, great. Awesome. Anybody last feedback for Will on this? Anything. Okay, Will. Thank you. Thank you. Yeah. [multiple speakers]

**Danny Davis:** Are we done?

**Bridge Littleton:** Yeah, yeah, yeah, yeah. Fajitas. Okay. Thank you. All right. We'll take a we'll take a one minute break.

**Donna Strama:** Thank you.

**Bridge Littleton:** [multiple speakers] Oh, we got a minute. [multiple speakers] No, no, wait a minute. Was a minute. Literally one minute. [multiple speakers] Okay, Now, next item, we'll go to the public hearing on the fiscal 24 budget. Who's taking that one?

**Danny Davis:** Thank you, Mr. Mayor. Before you, is the public hearing on the proposed budget for next fiscal.

**Bridge Littleton:** Oh, wait, hold on. Before I forget, a big shout out right now for Ali. [multiple speakers] Oh, yeah. Congratulations, baby. 27 pounds, 352oz. I think it's a boy. Yeah. [multiple speakers] Great.

**J. Kevin Daly:** Good boy. Yeah.

**Bridge Littleton:** Okay. Sorry, Danny. Go ahead.

**Danny Davis:** Yes, Thank you, Mr. Mayor. So this is a public hearing on the proposed budget for fiscal year 24 beginning July 1st of this calendar year. You've had multiple meetings on this. You have already set the real property tax rate at 12.76 cents per \$100, assessed value. That is a decrease in the rate from last year. And then during our review,

we've made just a few changes, one minor related to the overall cost of health insurance and then the other change, swapping some dollar figures between the administration department and police department for the value or cost of health insurance for the police department. Other than that, no other changes have occurred as of yet. So this is a chance for the public to provide input, but also a chance if Council has any other questions we'd like to discuss. We did add it as a separate discussion item on the agenda if you wish to discuss it later. But we could ask to handle any of that at this point as you see fit.

**Bridge Littleton:** Before we open the public hearing. Anybody have any questions for Danny?

**J. Kevin Daly:** Negative.

**Bridge Littleton:** Okay. We will now open the public hearing on the FY 24 budget. Would anybody like to address Town Council? Going once, going twice. We will close the public hearing and now move to the public hearing for, oh, well, we're not going to act on it tonight.

**Danny Davis:** No action tonight. So we will prepare the appropriations ordinance for your next meeting.

**Bridge Littleton:** Perfect. And now water and sewer.

**Danny Davis:** So very similarly, you've had multiple discussions to date on the utility fund as well as the water and sewer rates. We provided info previously on the work we did last year on the utility rate study and provided some comparison to other towns. As a very brief update some of those other towns have done pretty much the same comparison and realized that they are also facing significant challenges. And yet I will again give my appreciation to Council for recognizing the need to make iterative, relatively smaller changes each year. I believe Round Hill was facing perhaps 24% rate increases and there was a debate whether to rip the band aid or to do 14 this year and ten next year. And they have done that a few different times where they they kind of hold things steady for a while and then realize they need to raise it significantly. Purcellville is also facing some protracted rate increases over a period of time. And so I'm just laying that out as an example to say our proposal continues to keep 3% increase in user fees to allow us to a few things. One, keep up with inflationary costs, also to keep up with our capital costs and our capital projects and to recognize that there are continued investments both in replacement of regular parts pumps and all of that, as well as future sewer and water line requirements. I will note for for the Council, if you do recall a couple of years ago when we had the line of credit discussion for the utility fund that was intended to give us a period of time to to see when the Salamander residences came on line and see what that does for our revenues. I will tell you, I don't know what that's going to do in terms of demand and water consumption. On the one hand, if they're used not on a daily basis, there's not a significant amount of of user fees. But something that came to my attention yesterday I had not processed was that they all will have irrigation systems that are all tied to our domestic water. And so there could be additional demands on our system which we need to prepare for from a utility operations standpoint. But that could change our revenue outlook as we see those progressing. So kind of a long winded way of saying we'll keep an eye sorry, sir, we'll keep an eye on.

**Bridge Littleton:** I'm not arguing.

**Danny Davis:** We'll keep an eye on revenues as they do go throughout the year as these first few houses come online and let you know if we see any tangible differences. So with that, we do have a public hearing as well for the public.

**Bridge Littleton:** Before we go to the public hearing, one thing I do want to ask you guys to do after July 1st, when everyone's new rates go into effect, I'd like to receive that graph. Yeah, I would like to read. Absolutely. Absolutely.

**Cindy Pearson:** Yeah.

**Danny Davis:** And actually, I was looking at Round Hill and again, I want to make sure I get all my numbers correct. So after July 1st, we'll do that. But as you all are, we I know at least the Mayor is aware what 80% of their users are out of town. So it's really probably appropriate to compare our in-town rates here to their out of town rates.

**Bridge Littleton:** Well, just do a weighted average and.

**Danny Davis:** Sure. And so their proposed changes will bring them not too far away from what our current rates are. So just for comparison.

**Bridge Littleton:** The one thing so I do want to provide a quick history here. You know, go back 20 years. We were in a really bad state in terms of, you know, knowing what we should be charging, what we were using, what our spillage was. You know, Mark Snyder did an amazing job with a spreadsheet model. And that one firm who used to help him bring that whole thing together and creating a model which was actually foreseeable, predictable, you know, you guys have all taken it to the next level and really gotten, you know, our build to pumped gallons, you know, great collections, great, But really understanding what our cost drivers are, what we need to be doing, you know, you need not look anywhere other than Flint, Michigan, to see what happens when you don't invest in water and sewer the right way. You know, this is public health, you know, next to policing. You know, this is the single most important thing we probably do is provide safe drinking water to everybody in town. And a way to get sewer sewage out. And I actually did a quick calculation. I left it to the office. I think for the average bill. Right. The cost of having, you know, great, sustainable, reliable water and sewer in this town is like \$1.30 a day. You know, we pay I pay twice that for cell phone service. And if you had to tell me what was the most important thing, Right, If you had to tell me what was the most important thing? If I had to choose, you know, and I'm not saying \$1.30 a day is de minimis, you know, but 20% of that, if you reduce the rates to 20%, it's \$1 a day. So and the fact that we only have to go up 3% this year when we're in an inflationary pressure of eight and 10%, you know, it's kudos to Danny and the team, the utility committee and you guys for being thoughtful about investing the right way so we don't hit these 24% cliffs and these 20% cliffs that everybody else is facing. So I'm very proud of the position that we're in. So, okay, I will open the public hearing unless anybody has anything to say on the water utility stuff.

**Peter Leonard-Morgan:** So I would also say I think we've had some really good advice in the seven years I've been on this Council and the five years or four years on the Utility Committee. Great advice. And we actually listened to them, you know, and put it into action. And that's the job that we had to do. I think it's great.

**Bridge Littleton:** Chris.

**Chris Bernard:** Now, is it similar to that? I think the guys who do the utility modeling, you know, they obviously work with you guys, but the Finance Committee as well, and we had some great input from them and we really talked about that, Hey, do we want to get to that point in ten years where we haven't been investing and all of a sudden we got to take a big jump and that smooth 3% every year has really, really paid off. So kudos to previous Councils for putting that [off mic].

**Bridge Littleton:** I mean, I think the only thing other thing I'll add is I really love the fact that this town does not politicize water and sewer. We don't we do what's important to invest in the infrastructure, to provide quality water, you know, for public safety. So. Okay.

**Peter Leonard-Morgan:** And if I could just add one other thing. I think it's really, really important, having been on the Utility Committee, is to understand the complexity of that system and the investment and the people that spend 24 hours a day basically looking after it. It's quite amazing. And all behind the scenes, it's really remarkable.

**Bridge Littleton:** All right. So I'll open the public hearing. Anybody wish to speak to the Council on the water and the Water Sewer utility rates? Going once. Going twice. Okay. We will close the public hearing. And again, Danny, no action, right? We'll do that in a future meeting. Okay. Now, next item is staff reports. Rhonda.

**Rhonda North:** Thank you, Mr. Mayor. We continue Danny and I continue to work on the interactive display with the folks from Mvix. The concept that we've gotten together looks really good, and I think it's going to be a really nice display in our new town office town hall. We also continue to work on the website refresh. We've got our latest version of the concept design. Chris is looking at that now, but we hope to be moving forward on that shortly as well.

**Chris Bernard:** Nothing earth shattering.

**Bridge Littleton:** Yeah.

**Cindy Pearson:** I guess for Chris then with the website because some people say they have difficulty going through it and finding things. Is there any way to make it a little easier where it's more you don't have to scroll so much to get to the bottom of the page to find what you're looking for?

**Chris Bernard:** I mean, navigability and search and all that stuff is a huge consideration when building the platform. The actual structure of the site is not terribly different. I actually I'm trying to think of what market changes there were. It was more kind of a facelift.

**Rhonda North:** And one of the things that Civicplus does recommend is that you limit the the amount of information on your pages because people will only scroll for so long before they give up. So you really shouldn't have pages that are this deep. They really should, should be.

**Cindy Pearson:** And these are a little deep.

**Danny Davis:** And yes, and we did already flip our home page so that basically under the top banner, the first thing you hit is the newsflash. So when we put key important information up, that's the first thing you see. And then we'll have our major calendar of events under that and then a link to MBPA an their calendar of events. So we'll have the town meetings and then link to the MBPA. On the individual pages, the mega menus that's a give and a take because too many options when you have a dropdown menu, you feel like it's overwhelming and I'll never find it. Too few options then you have five different clicks and you don't know where to go, so we'll keep looking at that. I think that's as we refresh it and, and if there are particular things that people are trying to find and can't find, definitely we can look at trying to either, yeah, create a button or shrink the mega menus or whatever it might be. So happy to talk through that.

**Rhonda North:** It's a balancing act, definitely.

**Chris Bernard:** Different people are going to have hard times finding different things [off mic]

**Cindy Pearson:** Right? Yeah.

**Chris Bernard:** Got to catch 90%.

**Cindy Pearson:** Okay. Thank you.

**Bridge Littleton:** Any other questions for Rhonda? All right, Tina.

**Tina Staples:** Hi. Thank you. You have my report. I'm happy to take any questions that you have. Rhonda's been after me to get rid of all my paper in the office before we move. So she's been keeping me busy with that. And I can answer questions about that, too.

**Bud Jacobs:** So we're moving?

**Tina Staples:** Yeah. [laughter]

**Bud Jacobs:** You get the memo?

**Bridge Littleton:** Any questions for Tina? No. All right. Great report.

**Tina Staples:** Thank you.

**Bridge Littleton:** Shaun, hold on. [laughter]

**Shaun Jones:** I had a pep talk earlier today.

**Rhonda North:** [inaudible] warned you.

**Bridge Littleton:** I just want to make sure you didn't get infected with all of AJ's habits.

**Shaun Jones:** No, I had a pep talk. Real quick you have my report before you. Only thing I want to add is I want to give kudos to Officer Jason Davis. The other day in town, he had an elderly female that was found at the Hill School. She was a little confused, got not confused, but she got lost where she was coming from and going. He realized that she was almost out of gas. So he put gas in her car and got her headed to the right direction and followed her outside of town to make sure she was going the right direction. And that's all I have. Thank you very much. I'm sorry. Any questions?

**Bridge Littleton:** Oh, there we go. [multiple speakers]

**Shaun Jones:** Yes, sir. I'm sorry any questions?

**Bridge Littleton:** Any questions for Shaun?

**Cindy Pearson:** No.

**Bridge Littleton:** [inaudible]

**Shaun Jones:** Thank you.

**Bridge Littleton:** I expect an update tomorrow.

**Chris Bernard:** When are we expecting Art in the Burg?

**Shaun Jones:** I'm sorry.

**Chris Bernard:** You guys ready for Art in the Burg?

**Shaun Jones:** Yes, sir. We are ready for Art in the Burg. We are ready for Art in the Burg. We've been in communication with the event staff and also Mary Ann as well. Plan on finalizing everything with them if they have anything that comes up the next few days or whatever. Just keeping constant communication so we can make sure everyone's on the same page.

**Danny Davis:** And I will say thanks to Chief and to the team, they're making plans for should we have any thunderstorms roll through? I mean, rain is one thing, but if there's any kind of dangerous situation, just how we can alert the public and then make sure that they can go to safe places.

**Bridge Littleton:** Is Mary Ann going to be open? Yes. Oh, she is. Okay, good. All right. Awesome. Any other questions for Shaun? Thank you. All right, Shaun. Thank you man.

**Shaun Jones:** That's my time.

**Danny Davis:** I'll use the rest of it.

**Shaun Jones:** Thank you. [laughter]

**Bridge Littleton:** On one item. That's exactly right. [multiple speakers] You can't carry it forward. All right. Next one is Will.

**Cindy Pearson:** Ask Shaun, could you please turn the temperature down? [multiple speakers]

**Cindy Pearson:** Well, just stop conditioning off. Yeah.

**Bridge Littleton:** Cindy the hard part is you're right under the vent. That's the problem.

**Danny Davis:** Just a degree.

**Bridge Littleton:** Yeah, Just to make it stop. Okay, Will. Go ahead.

**Will Moore:** You have my report. Just one thing to add, our brick contractor Tim worked with him to do some repairs in front of King Street. It's not 100% perfect, but it's a vast improvement. The real trip hazard is gone. There's still a slight dip in there, but was.

**Bridge Littleton:** Was it a rotted root?

**Will Moore:** I have not had a chance to.

**Bridge Littleton:** Don't worry. It doesn't matter.

**Danny Davis:** I talked to Stuart briefly, who was doing the brick. He didn't find anything underneath there, so he just thinks it's fine. [multiple speakers]

**Bridge Littleton:** Just curious. Yeah, yeah, yeah. All right.

**Will Moore:** Yeah. That's all I have.

**Bridge Littleton:** Any questions for Will?

**J. Kevin Daly:** Yeah. One quick question. All right. We've taken care of that issue with bricks. And that was in front of King Street. What about the other sidewalk areas where we have brick, which is causing some issues with people in wheelchair or other disabilities, trying to get around some of these tree roots?

**Will Moore:** I mean, I'd be happy to receive any specific areas that you have and we will address them. Just to generally answer the question, we do have an ongoing sidewalk inspection program. We keep notes. We have Stuart out. Stuart Longerbeam not our Stuart Will but Stuart Longerbeam we bring him in on an as needed basis when there are things that are within his level to address. There are some areas that we have some concerns with that are larger projects. So we're working to refine a proposal on the north side of the first block, that is of East Washington, that is between Madison and Liberty Streets on the north side. There are two main areas of concern there. So we're working to refine a proposal to address those. Obviously on South Madison Street, we're looking at that on a much larger basis. But we just implemented I referenced it in my report, a couple of areas where we. One area where we just decided we needed to remove the brick. It's not a huge swath and replace it with crushed gravel because there was no way to overcome the damage that the tree root has done in that area. There's a stone walk area on the south, southernmost part of South Madison in front of the candy shop where we we filled in a lot of those. I mean, there's some really wide joints there that, again, it's a temporary fix, but we filled those in to address. We had a contractor come in and meet with staff yesterday to look at an area of concern in front of Highcliffe clothiers. It's less a trip hazard than it is a drainage issue. But so we're constantly looking at those issues and addressing those that we can and in house and then looking for avenues to address those larger issues as appropriate.

**J. Kevin Daly:** Thank you.

**Will Moore:** Thank you.

**Bridge Littleton:** Will. Thank you.

**Will Moore:** Thank you.

**Bridge Littleton:** All right. Sands Anderson, is it official yet or effective yet? I should say.

**Martin Crim:** It's not effective yet. No, it's effective June 1st.

**Bridge Littleton:** So you're still Vanderpool, Frostick and Nishanian?

**Martin Crim:** Oh, yes.

**Bridge Littleton:** Damn, I thought we were getting up step service so far. All right, go ahead.

**Martin Crim:** So you have my report. I stand ready to answer any questions or sit ready. [laughter]

**Bridge Littleton:** Any questions for Martin? Yeah. Yeah, you know, I gave him that hard time that one time. And ever since then. [laughter] Exactly.

**Martin Crim:** To get the timing, right. That's the key.

**Bridge Littleton:** Yeah. All right. Any questions for Martin? Okay, Martin. Thank you.

**Martin Crim:** Yes, sir.

**Bridge Littleton:** Ali. Ali. Hello.

**Danny Davis:** Mr. Mayor. Just a couple items related to this. First of all, that for any economic development issues while Ali is on leave, just please reach out to me. And in my absence, please reach out to Will and we will respond to our residents and business owners as quickly as we can. We do have Art in the Burg. That's an exciting item. And then.

**Bridge Littleton:** Hey, Danny real quickly on that on our website, does it include Ali's cell phone number?

**Danny Davis:** It probably does. Pull that off?

**Bridge Littleton:** Well, just check with her if she doesn't mind. But you might want to just replace it with the town office until she gets back.

**Danny Davis:** Sure, we can do that.

**Bridge Littleton:** And her email?

**Danny Davis:** Sure. And she has an out of office on the email that directs her. Directs folks to the town office. And then Saturday, May 20th, is the kickoff of the Farmer's Market. Really excited about that. We are working with Kim Shelly, who's going to just be helping coordinate vendors and communication with them, especially in Ali's absence. And so we're looking forward to that first day, especially being a great kickoff and lots of fun. So hopefully we'll get lots of support. And the charter school, as you know, is also doing an event the third Saturday of each month as part of the Farmer's Market. So it should be enjoyable. And happy to answer any other questions. We had the ribbon cutting for a new business last night, The Wooly Fox located in the pink box building. Very neat spot. And then.

**Bridge Littleton:** It's a neat store.

**Danny Davis:** Yeah, Very, very neat store.

**J. Kevin Daly:** Great name. [off mic]

**Bridge Littleton:** I was wondering if you would. Yeah. Any questions for Danny? Okay. Next up is Rhonda North, Town Hall Project.

**Rhonda North:** Thank you, Mr. Mayor. So I am happy to report that the sub has received the long lost chiller and.

**Chris Bernard:** [off mic]

**Rhonda North:** Actually, we had a bit of good news today as well. The permanent Outdoor Air Handler unit, also known as the OAU, will be delivered tomorrow to the sub. So we will have a large crane in here on Tuesday that's going to set both of those units. So that will help to advance our schedule. We'll have a revised schedule next week from Cooper. The Cupola, we anticipate that will be delivered at the end of June. The sod in the Village Green is nearly complete. That's starting to look really good. I don't know if you've had a chance to ride by and take a look at that, but it looks good. And the teak benches that will be installed along the Village Green as well as in this area, those have been delivered as well. Working with Quail Run Signs to get the entrance sign on the Pendleton Street side installed in the next couple of weeks before the landscaping plantings go in. They're starting to work on the final coat of paint in the admin area at this point in time, installing the glass in the doors, the drywall ceilings are almost completely installed. They're doing lighting and receptacles throughout the building. In fact, in my office except for the floor, it's almost completely done. Restroom fixtures are nearly complete and Martin and Danny and I met and Will earlier today to talk about draft policies related to town hall use and town grounds use disruptive persons. And also those will be coming forward to you all shortly as well. So lots of exciting things happening. [multiple speakers]

**Bridge Littleton:** So whose project was this?

**Rhonda North:** Whose project was it?

**Bridge Littleton:** Yeah, that you were just describing? [laughter]

**Rhonda North:** Yeah. Different description these days.

**Bridge Littleton:** Yeah.

**Rhonda North:** Than it used to be.

**Bridge Littleton:** Anybody have any questions for Rhonda?

**J. Kevin Daly:** No. Good report.

**Bridge Littleton:** Okay, cool. Next, we have the consent agenda. Would anybody like anything removed from the consent agenda? All right. Is there a motion?

**Chris Bernard:** I move that we adopt the consent agenda as proposed.

**Bud Jacobs:** Second.

**Bridge Littleton:** Any discussion? All in favor. Say aye?

**All of Council:** Aye.



**Bridge Littleton:** Opposed? Abstentions? Darlene, did you say yes or no?

**Rhonda North:** Oh, it looks like we lost Philip.

**Cindy Pearson:** And, Darlene.

**Darlene Kirk:** I said yes.

**Bridge Littleton:** Okay, cool.

**Rhonda North:** Darlene's still on the line.

**Bridge Littleton:** Thank you, Darlene.

**Darlene Kirk:** Yes, yes, yes.

**Bridge Littleton:** It passed 12 to nothing. Okay. Next item here. Council appointments to the VML Policy Committees.

**Rhonda North:** Mr. Mayor, it's that time of year again when you all need to make your appointments to the VML Policy Committees. Last year, Council Member Miller served on the Committee and Economic Development Committee. Mr. Mayor, you served on the Finance Policy Committee. Council Member Jacobs served on General Laws Committee. Councilman Member Daly on the Human Development Policy Committee and Council Member Bernard on the Infrastructure Committee.

**Chris Bernard:** [off mic]

**Bridge Littleton:** So does anybody who's currently serving on a committee wish to not continue serving on that committee? Okay. Mr. Leonard-Morgan. How about the Going Green Committee?

**Peter Leonard-Morgan:** It's called the Environmental Policy. [laughter]

**Chris Bernard:** You think you could get him to change it?

**Peter Leonard-Morgan:** Yeah, quite happy to.

**Bridge Littleton:** Okay, cool. Thank you. I will check in with Philip as to whether or not he wants to serve on that. But would anybody be interested in serving on any other committee? Okay. So, I mean Rhonda, I think as we are right now, that's good. Check with Philip make sure he still wants to and we'll put Peter forward for the Go Green.

**Peter Leonard-Morgan:** Is that an option?

**Rhonda North:** No, they don't have that that committee anymore.

**Peter Leonard-Morgan:** Oh Okay.

**Bridge Littleton:** Well, I thought don't they have a. [multiple speakers]

**Peter Leonard-Morgan:** They fixed it didn't they?

**Rhonda North:** They combined [multiple speakers] committee's together.

**Bridge Littleton:** Oh is that what it was. Okay.

**Rhonda North:** So they don't have the committee structure that they used to have.

**Peter Leonard-Morgan:** That's why I fell off it last time.

**Bridge Littleton:** Got it. Well, do you want to go on the new one?

**Peter Leonard-Morgan:** I think someone else is on the new one already.

**Bridge Littleton:** No, they're not. Not for us.

**Peter Leonard-Morgan:** Isn't that infrastructure?

**Rhonda North:** Yes.

**Bridge Littleton:** Oh, it is. Oh, okay. Okay. Got it, got it. Okay, Well, we'll leave it as is.

**Peter Leonard-Morgan:** I'll refer to Council Member Bernard.

**Bridge Littleton:** You're a giver. You're just a big giver. All right? [off mic] Yeah.

**Bridge Littleton:** All right. All right. So, Darlene. Sorry, Rhonda. Is that good?

**Rhonda North:** Yeah.

**Bridge Littleton:** Okay, great. Thank you. All right, next item here is Council approval of the termination of the agreement with Blink.

**Danny Davis:** So thank you, Mr. Mayor. We've talked about this a few times. Just a couple quick updates.

**Bridge Littleton:** For a few years.

**Danny Davis:** Yes, we are on separate from Blink, but briefly, we're still working with Downey and Scott to get additional information on final steps and costs for the X charge charger. I will say Vice Mayor Leonard-Morgan reached out to them after your last meeting, and at that time they agreed that they would be willing to provide the town or allow the town to retain 100% of charging revenues. And they also provided an ROI calculator for us that I think we can give some better information about our hopes for what that looks like due to some of our costs to run the electricity to the site. So we'll continue working with Downey and Scott on that. I am not certain we'll have that ready for the next Council meeting, but it could be in June. But again, making progress there, which is good with X charge. In terms of Blink, unsurprisingly, they responded and we've been given a new contract that's a little more responsive to our communications. They are still interested in working with us and having their infrastructure here. They have quotes ready for putting in the chargers and running the electricity to their chargers. If I may, I might suggest either one of two options for Council. Let us see how we make progress in the next two weeks or so. Or you could go ahead and authorize me to terminate the agreement, but I could use my judgment on whether that's appropriate or not based on the action or progress we make over the next few weeks. So I'll leave that up to you. But I do see that we might be making progress, which is actually good. It's probably a little easier than starting from scratch and it would allow us to use the grants that are already out there through Virginia Clean Cities.

**Bridge Littleton:** So I'm happy with door number two if you guys are. Does that make sense? Okay, so what we'll do is we'll authorize you, but you use your best judgment.

**Danny Davis:** Use discretion.

**Bridge Littleton:** Yep. All right.

**Danny Davis:** Work with the Vice Mayor on.

**Bud Jacobs:** You don't need a motion or?

**Danny Davis:** It would be good. Yeah.

**Bridge Littleton:** No, we should. Is there one in here?

**Danny Davis:** There is a draft [inaudible].

**Bridge Littleton:** Yeah, It says authorized, so that's good. All right.

**Peter Leonard-Morgan:** I move the Town Council, authorize the town manager to terminate the agreement with Blink Charging for EV, charging infrastructure in Middleburg and seek alternate partners for level two charging options in the town.

**J. Kevin Daly:** Second.

**Cindy Pearson:** [off mic]

**Peter Leonard-Morgan:** If required.

**Cindy Pearson:** If required.

**Bud Jacobs:** Friendly amendment. Yeah.

**Bud Jacobs:** We want to add the notion of discretion that Danny mentioned and the Mayor supported.

**Chris Bernard:** We authorize him to terminate, but he doesn't have to.

**Bud Jacobs:** Basically, it's an awkward motion.

**Chris Bernard:** Yeah. It is.

**Bridge Littleton:** Do you accept the amendment?

**Peter Leonard-Morgan:** I do indeed.

**Bridge Littleton:** Okay. All those in favor say aye?

**All of Council:** Aye.

**Peter Leonard-Morgan:** I need a second. Do we have a second?

**Rhonda North:** Kevin Seconded.

**Bridge Littleton:** Kevin Seconded? Aye. Opposed? Abstentions? Okay, good. It's what you guys needed. Right? Okay, Next item here is. Where am I? Oh, initiation of the zoning text amendment pertaining to the R-2 single family residential zoning district.

**Will Moore:** Tonight is the night of zoning text amendments. So I've got another [multiple speakers]

**Bridge Littleton:** Will Moore is back. [laughter]

**Will Moore:** Yet another one after this. So hang tight. So this is the amendment that we have been or a potential amendment that we've been talking about related to additional revisions to R-2 development regulations. So we presented you with a couple of options at your last meeting for discussion. Essentially, they would be grouped into amendments to existing regulations. So further regulating building height, setbacks, lot coverages, those types of things. So working within the same framework that we have, but tightening up those regulations. The second option would still include option one, but would also introduce regulation of a floor area ratio in the district. The third option, which as explained at the last meeting, would be a deviation from our current work plan. But it's something that you requested more information on would be potentially exploring an architectural control district in certain neighborhoods. So to that end, on option number three, you would ask for some examples. Estee is currently researching those. I don't have those to present to you tonight, but we're not going to forget about that, that you wanted additional information and we're working on that and we'll have something in an upcoming meeting for you. So some examples of how those work in actual application. But based on the discussion at your previous meeting, what we were recommending is that you initiate an amendment. So initiation, it's the public body's way of filing an application, if you will. So you're starting the process. What we're recommending is again, option two, what we're recommending in the body of the draft amendment that you would initiate are some of those additional modifications to your existing regulations as well as the introduction of the floor area ratio. We're recommending that you include a couple of options for the Commission to consider in each case. So maybe grouped in one way is a change and then a slightly more drastic change to those. So you're giving them some options. So what am I talking about there? So with building height, for example, we're recommending that you remove building height related to side yards. We're recommending that you remove that current provision that 25ft is the max height, but you can actually go up to 30 if you increase the side yards, we're recommending that go away. So there's no option to go over 25. So that would be the baseline step. But or even take it down to 20 [multiple speakers] or 25 if you come in. Well, we didn't add that. That's something just getting rid of that relationship. Sure. 20 or 25. So that's one example where we're saying get rid of the ability to go up to 30, 25 max or maybe even 20 max or maybe in the Commission's deliberations, they look, yeah, there's something interim. So that's the way we're structuring it, not just giving them one thing to work with, but giving them a couple options to consider. Did look a little more into the FAR area ratio discussion that we had. So I included in the definition of FAR a suggestion from the Mayor, which was, hey, if we want to if we're really trying to affect character, but at the same time, we want to give people the ability to have more living space if that's what they're seeking, that if you have a basement level that's finished, that's completely below grade. So there's no effect on the upward character that you could count that finished area at a lower rate. So what we're proposing is that any finished area in a basement that's completely below grade is only counted at 50% of the actual area. So it's if you have 2000ft, it's only 1000ft when you're using it to calculate the FAR. So that's one option that we would also introduce there. So that's what we're proposing that you consider initiating. If this were initiated, then we would refer it to the Planning Commission to begin deliberation. We would also look then at trying to firm up a date in coming months for well, actually prior to that the public meeting as well.

**Bridge Littleton:** Right to go to the public. Yep.

**Will Moore:** And then the joint meeting between the two bodies would be after the public meeting to discuss reactions from the public.

**Bridge Littleton:** Perfect. Okay.

**Bud Jacobs:** Can I remind everybody?

**Bridge Littleton:** Yeah.

**Bud Jacobs:** The public meeting is not the public hearing. This is the town hall. [multiple speakers]

**Bridge Littleton:** Yeah.

**Will Moore:** Yes. Thank you.

**Bridge Littleton:** No, Will I think you guys have done a great job laying that out. And so we would initiate it. We'd do all those things. Planning Commission would do their work. It would come back to us, and then it would be up to us to figure out what we want it to look like and as a final form, Yep. Okay. Cindy Yeah.

**Cindy Pearson:** In HDRC last week. Is that just last week? Yes. One of the sorry.

**Bridge Littleton:** Seven years. No it was last week.

**Cindy Pearson:** At sometimes. One of the members wanted us to look at option three a little more too. So when Estee gets the information, that would be great.

**Will Moore:** Yeah, absolutely.

**Bridge Littleton:** Okay? Yeah. Peter.

**Peter Leonard-Morgan:** Yeah. Mrs. Curran's point earlier on. Option three, I think, is the ARB types. And I watched the meeting that you had. That's like an architectural review board kind of philosophy. And I think you made a very good point that it's a wonderful idea, but it's really going to be very time consuming and intensive for staff to develop that, isn't it? That would be a.

**Will Moore:** It would be a heavy lift. But again if you know. [off mic] Yeah, yeah. And and getting getting volunteers that are properly qualified to opine on those kind of things so it doesn't become the, you know, I mean I'm on my HOA and I shouldn't be making half the decisions I'm making on probably. [laughter] But you know, just, you know, self-awareness that.

**Bridge Littleton:** Is that a public admission?

**Will Moore:** Yes. Yeah but yeah no, but it's difficult to staff those kind of bodies, especially those bodies that really work in that area that blurs the line between objectivity and subjectivity. [off mic]

**Bridge Littleton:** Is the state code require an architectural review board to only be seated with people who live in town, like Planning Commission.

**Will Moore:** No.

**Bridge Littleton:** Okay. So, okay. It's like HDRC, so you could have somebody from outside town. Okay.

**Bud Jacobs:** But key point. It's just like HDRC. In other words, all the work.

**Bridge Littleton:** Oh, sure. Oh yeah, yeah, yeah. There's a ton of work.

**Bud Jacobs:** [off mic] HDRC standards, for example. All of that or a version of that is going to have to be done. And I honestly don't know that we could adequately do it with the staff with [off mic]. I just don't see it.

**Will Moore:** It might be difficult, but I would suggest let's take this in incremental steps. Let's first give you some examples of how it works and then we'll Yeah.

**Bridge Littleton:** And cost and time. Yeah, right.

**Peter Leonard-Morgan:** And do we have a date for this public town hall meeting?

**Will Moore:** Not yet.

**Peter Leonard-Morgan:** We don't. Okay.

**Bridge Littleton:** I mean, I think sooner rather than later. But we've got to initiate this and then you guys got to drive on putting that together.

**Will Moore:** Yeah. I shouldn't say we don't have any date. There's a kind of a range of dates in the work plan that's plugged in there and we'll seek to find something that fits in that range in the work plan.

**Bridge Littleton:** Okay. Any other questions? Would someone like to read the motion?

**Peter Leonard-Morgan:** Okay, I move that.

**J. Kevin Daly:** Oh. Go ahead.

**Peter Leonard-Morgan:** I move that Council adopt a resolution to initiate zoning text amendment 23-02 pertaining to lot requirements and building height in the R-2 single family residential district and nonconforming lots of record, and to refer the proposed amendment to the Planning Commission for hearing consideration and recommendation. I further move that Council refer the attached work plan to the Commission for direction.

**J. Kevin Daly:** Second.

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

**All of Council:** Aye.

**Bridge Littleton:** Opposed? Abstentions? Okay. Will, I think you're still on deck.

**Will Moore:** Yes, sir.

**Bridge Littleton:** All right. So the next one here is a resolution to initiate a zoning text amendment 23-03 pertaining to definition of professional office and associated regulations thereof.

**Will Moore:** Thank you again. So this is a proposed amendment that I will own this one. This was one that came mostly from me. It's one that has it's a we have an existing regulation that has been curious to me ever since I came here. So the C-2 district in particular, there were amendments passed in the early 2000s to specifically prioritize certain uses in that district and many of those are the pedestrian oriented, active uses retail, restaurant, personal services in particular. C-2 is our core district, as we discussed earlier tonight, that's the predominance of shops and restaurants and such. So some of those regulations to prioritize those uses were to exempt those that occur in existing buildings that change to one of those uses from having to meet off street parking requirements. However, another one was to take office use, which at that time was allowable in the district in any location in the building, and was to say that office uses in C-2 are still permitted if they're on floors other than street level or first floor. So upper level office uses or if you actually have basement level, those are okay. But for the street level uses, it would require a special use permit to do an office use. For some reason, real estate office was split from professional office at that time. Separately regulated. It's my understanding I was not here during that time, but the best I can make from the records we have that there was pushback from the real estate community to change so that they could no longer be a permitted by right use on the first floor. Part of the curiosity that I had is that it seemed that most of the pushback so far as I could tell, was from existing real estate offices that would become legally non-conforming had a regulation passed in such a manner, they would be able to continue infinitely in their current configurations. They could not expand to a greater land, or occupy greater area of land on the same parcel. But even if they're in a building, they could expand within that same building. So there would be protections. But I think it was the Mayor who also informed me that there were some individual, maybe real estate agents who were pushing back against it in case they were to split from firms or and move or want to go out on their own, those kind of things. So

what we have seen in recent years during my time is a greater expansion of real estate offices. So we have some legacy businesses, Thomas and Talbot Middleburg Real Estate that have been there for quite a while. And let me stop and just pause and say this is by no means me or the town saying that we have a problem with real estate offices. I think we value their presence here. It's a question of where should they be located. And so we've seen additional offices. I note in the report, the Salamander Real Estate showroom, that was a former retail space. Hunt Country Sotheby's, Mr. Leonard-Morgan's Firm, McEneaney in the former sporting gallery space, Washington Fine Properties, which just relocated from C-1 prioritized for office use to C-2 on South Madison Street. So the question that I posed in bringing this forward at this time was, you know, had we reached kind of a critical mass of real estate agents occupying those street level spaces in C-2. I actually posed that question to your Economic Development Advisory Committee a few months ago, I believe it was December. And they were in agreement that we probably have enough in C-2 that we should do something to not allow them to continue to occupy more spaces by right. So what this amendment proposes to do is to remove that separation of real estate from other professional offices and to treat them all the same. So there would be no separate definition of a real estate office. There would be no separate regulation of them in any of our districts. They would be treated the same. Other districts C-1 and C-3 they currently are treated the same as professional offices, but they would be treated the same in C-2 as well, which would mean that it would become a special use if you're on ground level, first floor, if you're on second floor or other than the street level, it would still be a permitted use. So that's the proposal.

**Bridge Littleton:** Any questions for Will? [off mic] Yeah.

**Peter Leonard-Morgan:** Yeah, obviously I got to be careful what I say here as one of the people involved and it's not my company, as you know, but you know, I work there. And I'm fascinated because real estate offices is called office in England we call it an estate agent, you know. And you have customers who come in and they sit down a bit like a shop in a way that's changed a bit, but we still have a lot of foot traffic. And I just wondered whether that definition of office is maybe the wrong word for it, even for a real estate business. If you look at other companies, you know, you've got people, they'll pop in, they'll say, Oh, they've got this house for sale, I'll drop in and chat with whoever's on duty. Whereas I think an office like a CPAs office is really people sitting at a desk doing CPA work. So I'm just wondering about that sort of separation.

**Will Moore:** It's an interesting point. I don't know that I have a good response for that at this time.

**Peter Leonard-Morgan:** No, no, no, no. [multiple speakers] I'm interested in having a discussion and see what everyone else thinks about it.

**Chris Bernard:** [off mic] there are different real estate offices look different, right? So, for example, my office in Warrenton, because we do mostly commercial stuff, we had engineers coming in and out and we got development, whatever. I think it's more just about the amount. And it's like when we talk about like Loudoun County, right? We look at like, Oh, there's only so much prime x soil, there's only so many retail based spots. And so if it's 75% of them are professional offices, then. It makes it tough. So it's I think that's really the issue.

**Peter Leonard-Morgan:** Yeah, it's like earlier on we talked about the former Middleburg Country Inn and now it's an office, you know, and that's such a shame in a way. And it's a different part of town perhaps. But I'm curious what other people think about this.

**Bridge Littleton:** Well, I mean, I would actually disagree. I don't think it's a shame. I mean, a B&B is a permitted use if that's the business that works here, that's the business that works here, right? I mean, that used to be a house. They used to be the preacher's house.

**Peter Leonard-Morgan:** Is it allowed now?

**Will Moore:** What's that, I'm sorry?

**Peter Leonard-Morgan:** The I think in your note earlier and I know we're going off topic a bit, but you mentioned that the Country Inn could no longer go. [multiple speakers]

**Bridge Littleton:** Yeah, no, no. It could not be eight rooms, a B&B, which is defined as 3 or 4 rooms.

**Will Moore:** Three.

**Bridge Littleton:** Is a permitted use. Yes. So it could still be in bed and breakfast. Just only three bedrooms. Yeah. Yeah.

**Chris Bernard:** So it couldn't be done as it was previously?

**Bridge Littleton:** They had seven.

**Cindy Pearson:** 8.

**Bridge Littleton:** Right. Or was it. Yeah so I mean this does tie a little bit to the kind of the C-1 conversation. Right. Tourism, right is people going shopping and dining. Right? Not necessarily they're not. You might have the odd person who swings by and goes, oh, let me check this out. But if it's tourism based, especially on weekends, they're there for shopping and dining. And you know, what would the shopping and dining look like if in C-2 50% of the spaces ended up being real estate offices? Or. Well, it's not it wouldn't be professional offices because this is only defined to and I guess that's the question right is would that damage the downtown retail and dining experience? Right. So I mean I get your point the odd pop in but.

**Peter Leonard-Morgan:** And I think the other thing as well you know going back to ten years ago when I moved to Middleburg, a lot of the front stop shop fronts were not a lot. They were empty shop fronts. You know, I think at that point people probably like happy to have, you know, real estate offices in there as a balance. And I think it does come down to a balance. I don't disagree with that at all. I'm not saying I don't agree with this. I'm just curious to have like an intellectual discussion about what others think and whether it's the right way to go.

**Cindy Pearson:** I think that would have to go back to the real estate offices, though, and let them decide what to be called. If it wasn't a real estate office, that would take a lot of time and energy to change that vision, I would think. Yeah. I mean, not that it couldn't be done, but I think it needs to go back to them and start there.

**Peter Leonard-Morgan:** But I think it would still be a town zoning district.

**Bridge Littleton:** Oh, totally. It's totally town zoning. Yeah. Will, correct me if I'm wrong. Real estate is also exempt from the parking requirement, right?

**Will Moore:** It is not.

**Bridge Littleton:** It's not. It is not. That's good.

**Will Moore:** So Washington Fine Properties is an example. They had to buy they had to purchase the three feet [multiple speakers] spaces to occupy that spot.

**Bridge Littleton:** Okay. So I mean, generally, how do folks feel? Do we want to move forward with initiating the zoning text amendment?

**Peter Leonard-Morgan:** Yeah, I'm fine. Yeah. Okay.

**Darlene Kirk:** Yeah.

**Bridge Littleton:** I keep forgetting Darlene. Sorry. All right. Who would like to read the motion? Chris?

**J. Kevin Daly:** [off mic] I can do it.



**Bridge Littleton:** Don't fight over it now. Shaun, are you paying attention?

**Chris Bernard:** Okay. All righty. I move that Council adopt a resolution to initiate zoning text amendment 23-03 pertaining to the definition of professional office and associated regulations thereof, and to refer the proposed amendment to the Planning Commission for hearing consideration and recommendation.

**J. Kevin Daly:** Second.

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

**All of Council:** Aye.

**Bridge Littleton:** Opposed? Abstention? Okay. Motion passes. All right. Next item. Council approval purchase of replacement maintenance vehicle.

**Will Moore:** Danny wants to buy a truck. [laughter]

**Bridge Littleton:** Oh, hey, Will. I appreciate the concise nature of your report. [multiple speakers] Any questions? No. No.

**Cindy Pearson:** Oh, Lord, no. And it only costs \$45,000. Yeah.

**Will Moore:** You have the report. The short version is we did check to see if we could purchase through state contract months ago. All of the vehicles that were made available under that state contract had already been claimed for this current model year. So unless another jurisdiction had already claimed a vehicle. Yeah, backed out, there will be no half ton trucks available under the current state contract. So. So we sought out direct quotes from a number of dealerships, reached out to nine different dealerships. We received six quotes in response from five different dealers total that met the minimum spec that we put out. And so we're showing showing the quotes that came in that met our minimum spec. All of them had a few additional options to go along with it, which would also happen with the state contract. You know, they give a base, a state contract price for the base vehicle without options and then depending on what's available, the options are then added to that. So we did a little bit of analysis and we think best analysis that we could give. And we tell you why it's the best there wasn't an exact comparable vehicle on the state contract, but this would end up costing us roughly 6 to 700 more than if we were able to get it on state contract. But again, the vehicles aren't available so.

**Bridge Littleton:** Quick question. I'm not going to say who it is. One of your all's dealers here. The daughter of the owner lives in this community.

**Will Moore:** Okay.

**Bridge Littleton:** Should we reach out and ask if we can get a friends and family deal? [laughter]

**Danny Davis:** I mean, we can always negotiate.

**Bridge Littleton:** I know. I mean, I'll reach out to her and say, hey, but.

**Will Moore:** This was.

**Bridge Littleton:** That was quick.

**Will Moore:** We did ask for the best and final offer. I will tell you that the the vehicle that is the lowest priced on here, even in the short couple of weeks since we requested the quotes, that vehicle went away and another vehicle, but they were able to get another vehicle. So.

**Bridge Littleton:** All right. So let me ask the question.

**Darlene Kirk:** Bridge?

**Bridge Littleton:** I can take this call her and say, can we get it any better?

**Cindy Pearson:** Can we do that?

**Bridge Littleton:** And I can do that tomorrow? That will take 10 seconds. Martin Is that possible? Is that I don't know. I don't want to go afoul of anything.

**Martin Crim:** You're not governed by VPPA because you're of your size. However, you voluntarily decided through your ordinance to adopt basically Virginia Public Procurement Act, subject to the Council, saying we don't want to do that for this particular transaction. So with a vote of Council, you could certainly do anything you want in terms of acquiring the [inaudible].

**Will Moore:** I'm going to respectfully differ slightly from Martin's. You do give yourself an out in your code, but in giving that out, you have to agree to adopt certain competitive principles. You have to in place of using what is in the code. So it's not we can just do anything we want. In my read of it, you just have to agree to do a procurement still based on some competitive principles. You don't want to never get multiple quotes, that kind of thing.

**Bridge Littleton:** Yeah, Darlene, go ahead.

**Darlene Kirk:** Bridge, I have a question. Why are we doing this this way? Don't we usually procure new cars in our budget? And since we're working on the budget, why can't we just slip the truck in there on that?

**Danny Davis:** So, yeah. And Darlene, this is Danny. It is in our budget and it's it's budgeted in the fiscal 24 budget. The reason we're bringing it forward to you early is for the various supply chain challenges that we've seen. And also as we are trying to get something in hand that would be ready essentially, you know, by the beginning of the fiscal year if it were so. I mean, this is one of those where we trying to take the opportunity to get something we were concerned about the continued inventory challenges. I think things are loosening up a bit, but we wanted to move this forward and it is in the fiscal 24 budget. So at the end of the day, the funds are there for it to be paid for. If you approve it this evening, we would pay for it out of fiscal 23 contingency and that would just simply be offset by what would have been spent anyway in the next fiscal year.

**Darlene Kirk:** So that would come out. It would take that for however many thousands of dollars out of the 24 budget?

**Danny Davis:** So we would well, we'd end up yes, it would not need to be spent in fiscal 24. [inaudible] Correct. So.

**Bridge Littleton:** Say again, Darlene.

**Darlene Kirk:** So in the 24 budget. Right.

**Bridge Littleton:** It's in the 24 budget now, if we bought it, now we pay for it with 23 and we zero it out of 24. Yeah.

**Darlene Kirk:** That's what I'm asking. Yeah.

**Danny Davis:** So it's a wash.

**Bridge Littleton:** Yeah, Bud.

**Bud Jacobs:** I'd like to suggest that we honor the process that staff has already implemented. It's clean. It's safe. Any potential savings that we might gain from going outside the process is going to be a few hundred bucks. It's not worth it. And government mistakes that end up costing political capital most frequently come up in procurement. So let's not do that. Let's just do this.

**Bridge Littleton:** Yep. All right. Any other questions on Danny's big truck? [laughter]

**Peter Leonard-Morgan:** Going to have to make a motion. [off mic]

**Will Moore:** He doesn't get to drive it. Just so give me. Well, he does not get to drive it.

**Cindy Pearson:** Timmy's very protective of his toys. [laughter]

**Danny Davis:** Do I get to drive the old one.

**Bridge Littleton:** Yes. Yeah, go.

**Peter Leonard-Morgan:** Ahead. I move that Council authorized procurement of Danny's truck of replacement maintenance vehicle based on competitive principles, including solicitation of direct quotes from dealerships based on the specifications contained in the May 11th, 2023, staff report. I further move that Council approve the purchase of said vehicle from Ted Britt Ford in the amount of \$44,620.42.

**Cindy Pearson:** I second.

**Bridge Littleton:** Any discussion? All in favor. Say aye.

**All of Council:** Aye.

**Bridge Littleton:** Opposed? Abstentions? Okay. Next item is closed session. That is it. All right. Who would like to read the motion?

**Bridge Littleton:** Yeah. All right. Somebody read it.

**Chris Bernard:** I gotcha. All right, microphone on. I move that Council go into closed session as authorized under section 2.23711 of the Code of Virginia for one consultation with legal counsel retained by the public body regarding specific legal matters requiring the legal advice of such Council related to the town hall project contract as allowed under Subsection A8. Two for the discussion of appointments to the Economic Development Advisory Committee and three the hiring of a town attorney, both of which is allowed under subsection A one are allowed under subsection A one. I further move that the Council thereafter reconvene in open session for action as appropriate.

**J. Kevin Daly:** Second.

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

**All of Council:** Aye.

**Bridge Littleton:** Opposed? Abstentions? Okay. Norm, thanks for coming, man. [multiple speakers] All right, here we go. I ask that Council certify that in the closed session just concluded to the best of each members knowledge, nothing was discussed except the matter or matters one specifically identified in the motion to convene in closed session, and two lawfully permitted to be discussed in a closed session under the provisions of the Virginia Freedom of Information Act, as cited in the motion, 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.

**Darlene Kirk:** Yes.

**Bridge Littleton:** Yes.

**Peter Leonard-Morgan:** Yes.

**Cindy Pearson:** Yes.

**J. Kevin Daly:** Yes.

**Bridge Littleton:** All right. I believe we need a motion for appointment to EDAC.

**Chris Bernard:** I move that the Town Council reappoint the following members to the Economic Development Advisory Committee for terms expiring December 31st, 2023. Mike Killian, Prem Devadas, David Greenhill, Sean Martin, Vicky Bender, Kathy McGehee, Dwayne Ellis, and Lauren Peterson.

**J. Kevin Daly:** Second.

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

**All of Council:** Aye.

**Bridge Littleton:** Opposed. Abstentions. Okay. Motion passes. The only thing I mentioned it to Norm as he walked out. We will be presenting our TDR program that we unveiled at the summit to the Transportation Land Use Committee of the Board of Supervisors on May 17th. I believe it'll be at 6:30. I met with one of the supervisors today who wasn't there. He got very excited by it. So I think we're in a good place. So Chris and I will be there with bells on. All right. Unless there's anything else, I'll adjourn the meeting. Meeting adjourned. Yes.