



MIDDLEBURG TOWN COUNCIL
Regular Monthly Meeting Minutes
Thursday, June 22, 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 Philip M. Miller
Councilmember Cindy C. Pearson
- STAFF:** William M. Moore, Deputy Town Manager
Rhonda S. North, MMC, Town Clerk
Tina Staples, Town Treasurer/Director of Finance
Shaun Jones, Chief of Police
- ABSENT:** Councilmember C. Darlene Kirk

The Town Council of the Town of Middleburg, Virginia held their regular monthly meeting on Thursday, June 22, 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

Gary Nicholson, Commander of American Legion Post 295, reported on their recent activities. He noted that the June election primaries were held at the Legion and offered to host the next election if the Town Hall building was not ready. Mr. Nicholson reminded Council that the American Legion was planning to develop the vacant lot behind their building and noted that he was working with Deputy Town Manager Moore on the zoning impacts. He offered to present their plans to the Council in the future in order to get their support and make sure they met with the Town's vision before proceeding with the development process. Mr. Nicholson announced that he was recently re-elected as the Post Commander. He reported that their membership had achieved a 120% growth rate. Mr. Nicholson announced that George Ron Embry was the recipient of the Legionnaire of the Year Award. He noted that the Loudoun County Parks & Recreation Department was scheduled to hold a public information meeting on June 29th at the Legion to discuss their development plans for the Mickie Gordon Park. Mr. Nicholson invited the members of Council to attend the American Legion's awards dinner on July 12th.

Public Hearing

FY '23 Budget Amendments

Town Treasurer Staples reminded Council that these were the end of the year budget transfers. She advised that the money was coming from the Contingency Reserve line item; therefore, the changes did not involve an increase in the budget. Ms. Staples reviewed the proposed budget transfers.

Vice Mayor Leonard-Morgan noted that a lot of the expenditures were beyond the Town's control. He further noted the transfer for Police overtime costs and questioned whether an adjustment was made in the FY '24 Budget in anticipation of them for the next fiscal year.

Town Treasurer Staples confirmed the annual budget was based on the adjusted amounts. She reminded Council that the Town received reimbursement for the police overtime costs associated with private events; however, she could not use that to offset the expenditures. Ms. Staples noted that some of the wage costs were associated with bonuses and the use of part-time employees, which were difficult to predict. She advised that the staff tried to adjust the budgeted amount annually, so they were not returning to ask for adjustments.

In response to an inquiry from the Council, Town Clerk North confirmed a public hearing was not required by law as an increase was not being proposed to the budget. She explained that the Town Manager wanted to give the public an opportunity to comment on the transfers. Ms. North advised that this agenda item was advertised as a public hearing.

No one spoke and the public hearing was closed.

Councilmember Jacobs moved, seconded by Councilmember Daly, that Council approve the attached (to agenda packet) amendments to the FY '23 Amended Budget.

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

No – N/A

Abstain: N/A

Absent: Councilmember Kirk

(Mayor Littleton only votes in the case of a tie.) (by roll call vote)

Staff Reports

May Utilities Report

Vice Mayor Leonard-Morgan acknowledged the milky water that had been experienced recently and advised that the Town used some strategies to reduce it. He noted that it was greatly improved, if not gone altogether.

In response to an inquiry from the Council, Deputy Town Manager Moore explained that the sediment in the water was the result of manganese that was introduced when a pipe was replaced. He noted that when the new pump was installed, it pulled the manganese through the system. Mr. Moore advised that the system was flushed to remove it.

In response to an inquiry from the Council, Deputy Town Manager Moore reported that a contractor mobilized to install hatches that would allow the filters at Well 4 to be cleaned.

Vice Mayor Leonard-Morgan reported that the removal of debris from the filters was successful and opined that Well 4 was close to being operational again.

Councilmember Pearson noted that the curtain that was being installed for the repainting of the Marshall Street Water Tower had holes in it. She asked that it be checked before work began.

In response to inquiries from the Council, Deputy Town Manager Moore reported that the project would not be delayed due to the issues with the canopy and noted that a meeting would be held with the contractor later in the week. He confirmed there was not a lot of extra time built into the schedule. Mr. Moore noted that weekly status meetings would be held until the project was completed. He reported that the tank would be painted the same white color. Council noted that the wind was blowing the curtain.

In response to inquiries from Councilmember Bernard regarding the gallons of water pumped-to-billed numbers, Town Treasurer Staples advised that she could provide him with the data points going back for a year and a half. She expressed hope that patterns would develop as more data became available. Ms. Staples offered to graph the data.

Councilmember Bernard asked that he be provided with the raw data.

Deputy Town Manager Moore suggested that Councilmember Bernard discuss this with Town Manager Davis. He advised that there were times when the data may not be accurate due to issues, such as malfunctioning meters.

Special Projects Report

Deputy Town Manager Moore reiterated that weekly project status meetings would be held on the Marshall Street Water Tower Repainting Project. He reported that the ballots went out for options related to the South Madison Street Project and noted that responses had already started to be received.

Mayor Littleton expressed concern that the federal government was starting to claw back some of the ARPA funds that were unspent by localities.

Town Treasurer Staples reported that all the Town's ARPA funds were encumbered for a project and noted that she was pushing to get it spent before the deadline.

Deputy Town Manager Moore reported that the Invitations For Bids (IFB) for the Well 4 Clearwell Project and the Septic Conversion Project would be issued within the next week.

Consent Agenda

- A. Council Approval – June 8, 2023 Regular Council Meeting Minutes
- B. Council Approval – Revised Rights & Responsibilities Under Virginia Freedom of Information Act

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

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

No – N/A

Abstain: N/A

Absent: Councilmember Kirk

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

Action Item

Council Approval – Custodial Services Contract - J.V. Cleaning Services

Deputy Town Manager Moore advised Council that this contract was for services for the new Town Hall building and the Liberty Street Restrooms. He reported that a total of nine bids were received, with the low bid being \$19,800 for both buildings. Mr. Moore noted that when the IFB was issued, the Town anticipated taking occupancy of the Town Hall in April and advised that the low bidder agreed to continue to honor his bid. He recommended the contract be finalized and noted that it would be effective when the Town moved into the building. In response to an inquiry from the Council expressing concern about the difference in price between the high and low bidders, Mr. Moore noted that this was not a Request For Proposals. He advised that the staff did a walk-through of the building with the low bidder and reiterated that he agreed to honor his bid. Mr. Moore advised that he was comfortable recommending the award of the contract and noted that it was only through June of 2024. He suggested that if there were any issues, the Town could seek a new provider. Mr. Moore advised that no concerns were raised during the reference check. In response to an inquiry from the Council, he advised that services would be provided on Mondays, Wednesdays and Fridays. Mr. Moore noted that they could do the cleaning any time from late night to early morning.

Council expressed concern that the proposed cost seemed low for the services to be provided. They questioned whether the contract could be cancelled if the vendor did not perform well.

Deputy Town Manager Moore confirmed there were provisions in the contract for non-performance. He advised that the staff did the best due diligence possible, including walking the low bidder through the building, and opined that the low bidder was clear on the Town expectations. Mr. Moore reminded Council that they must accept the bid from the lowest responsive bidder and advised that the vendor's work would be monitored by the Town.

Mayor Littleton asked that the staff make sure the contract could be terminated if the vendor did not perform well. He acknowledged that the Town staff would monitor the Town Hall and opined that the public would let the Town know if there were any issues with the cleaning of the restrooms.

Vice Mayor Leonard-Morgan moved, seconded by Councilmember Daly, that Council approve a contract with J.V. Cleaning Services in the amount of \$19,800.

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

No – N/A

Abstain: N/A

Absent: Councilmember Kirk

(Mayor Littleton only votes in the case of a tie.) (by roll call vote)

Information Items

Mickie Gordon Park

Mayor Littleton announced that the County's Director of Parks & Recreation, Steve Torpy, would hold a meeting on June 29th at the Middleburg American Legion to hear comments from the community on the proposed redevelopment of the Mickie Gordon Park. He noted he shared the community's concerns related to traffic, lighting, the provision of adequate recreation facilities to serve the local residents, and the lack of maintenance at the Mickie Gordon Park with Supervisor Buffington's aide. Mr. Littleton advised that she asked that he provide her with a list of what the community wanted from the Mickie Gordon Park and noted that he was developing one. He advised that the main item was the restoration of the main baseball field and noted that it could no longer be used because of the big Astroturf strip that was placed down its middle. Mr. Littleton further noted that the soccer goals had been thrown into the woods and the tennis courts were falling apart. He advised that he planned to display the list on posters for the Parks & Recreation Director to see. He noted that the Parks & Recreation Department was not providing maintenance for the park.

Councilmember Jacobs advised that he would like to see a marker installed that contained the history of the park.

Councilmember Bernard expressed concern about the traffic and lights. He opined that the proposed redevelopment would not fit with the community and would destroy something that had historical and cultural significance.

Mayor Littleton reported that the Hall family planned to attend the meeting. He noted that the Parks & Recreation staff told Supervisor Buffington's aide that they did not often receive requests for play at the Mickie Gordon Park; however, he explained to her that people were not organizing team sports there but rather were using it for pick-up games. Mr. Littleton noted that an online petition to save the park had already been signed by seven hundred people.

Closed Session

Vice Mayor Leonard-Morgan moved, seconded by Councilmember Pearson, that Council go into closed session as authorized under Section 2.2-3711 of the Code of Virginia, for the performance review of the Town Manager, as allowed under Subsection (A)(1). Vice Mayor Leonard-Morgan further moved, seconded by Councilmember Pearson, that the Council thereafter reconvene in open session for action as appropriate.

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

No – N/A

Abstain: N/A

Absent: Councilmember Kirk

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

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

There being no further business, Mayor Littleton declared the meeting adjourned at 7:22 p.m.

APPROVED:

Trowbridge M. Littleton, MAYOR

ATTEST:

Rhonda S. North, MMC, Town Clerk

June 22, 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)

Bridge Littleton: Okay, time to go. All right. 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 Roll Call.

Chris Bernard: Chris Bernard.

Bud Jacobs: Bud Jacobs.

Philip Miller: Philip Miller.

Bridge Littleton: Bridge Littleton.

Peter Leonard-Morgan: Peter Leonard-Morgan.

Cindy Pearson: Cindy Pearson.

J. Kevin Daly: John Kevin Daly.

Rhonda North: Rhonda North, Town Clerk.

Will Moore: Will Moore, Deputy Town Manager.

Bridge Littleton: Okay, next item is public comment. Any member of the public who would like to address Town Council on any matter may do so now. Anybody? Anybody else? [laughter]

Gary Nicholson: I took a month off.

Bridge Littleton: We know. [laughter]

Gary Nicholson: All right. Mr. Mayor, Members of the Town Council. My name is Gary Nicholson. I'm the Post Commander of American Legion 295 here in Middleburg 11 Plains Road. A lot going on this last two months. So sorry I missed you. We just recently had the Court of Honor for our troop 2950. They inducted four new Eagle Scouts. So they are doing well over there. Actually this week, currently going on right now is the Boys and Girls State Program, American Legion, Boys and Girls State Program. So I mentioned earlier, we sent seven boys, ten girls this year. They're at Liberty University in Light Ridge. And then we have the awards dinner coming up on July 12th. I think the invites are coming out. Hopefully you can come out and hear all about their experience. And for a lot of the kids, it's their first time ever public speaking. So it's quite the show. You never know what to expect when they come out and say their thank you's. It's the last Friday we had we partnered with Middleburg Community Center. We had the summer bash kickoff. That was actually delayed one week. Big thanks to Side Saddle Cafe, Tip Tap Truck and Brian Fox and Friends. We were able to raise \$500 for the Legion with our quilt auction. So we were out there serving hot dogs and hamburgers to the community had a really great time out there. And then the big thing that happened this week was the June primaries. So once again, we hosted the June primaries. We had about a not a lot of people on the ballot for this one. We had 100

about 100 voters come through. Election staff was great as always. Big thanks for Chief Jones for coming out, sending squad cars every once in a while to check on things. But it's a pretty smooth operation. And I was talking to the election staff with the Town Council kind of still under construction, there may not be enough time to move the election back to you guys. Just let you know I am prepared to host it once again in November. It's not a problem. I have two of these under my belt now. I think I've got a pretty good system going there now, so we are ready for that. Also on Wednesday, I met with Mr. Moore. We have a project proposal for our back lot. After 76 years of service, we actually have a plan for it out there. We have a partnership with the Royal British Legion. So we met with Mr. Moore to kind of go over the permits and zoning issues. We want to do everything right, make sure we hit all the committees up. But one thing we'd like to do is actually present the plan to the Town Council for your feedback first, before we kind of move forward with that and make sure it's in accordance not with zoning laws, but make sure it's in accordance with the town's vision and how we want to do things there. But I think it'll bring a lot of good features to the town and a good use of the space finally after all these years. And the really last thing coming up is, well, two more things coming up. So for the fiscal year for the American Legion, we do everything in July. The membership thought I did pretty well this last year, so they reelected me for another term. So I got another year coming up. We we have this year we did 120% membership growth. So we're in line for a lot of awards. But the biggest award that matters to me is our Legionnaire of the Year Award is going to be recognized to George Ron Embry. So he's been a member of the committee for many years. And it's fitting because his brother, who recently passed away a few months ago, I think, was recognized at this year's Arbor Day celebration. So both brothers can be recognized this year, which is nice. Just like the new town, was it the Loudoun County Parks and Recreation Committee is going to hold a meeting at our location next Thursday, June 29th, from 6:00 to 7:30 p.m. Both brothers, Jackie and Mickey Gordon were Legionnaires. So it's an item that's close to my heart to make sure that you know, Mickey Gordon and the parks and things that they want to do is represented well. So we're happy to host that and meet the community out there. And, you know, snacks and drinks will be provided for donation and we'll make sure that the event is smooth. I've already talked to Chief about it, and I think we have a good plan for that night. So I just want to give you guys a quick update and hopefully we'll see you at our awards dinner. And thanks for all your support. You really allow us and Legion to really get out there and serve the community well. So thank you once again.

Bridge Littleton: Gary, thank you.

Chris Bernard: Thanks, Gary.

Bridge Littleton: Would anyone else like to address Town Council during public comment? Okay, we will close the public comment and move on to the public hearing on the FY 23 budget amendment.

Philip Miller: It's going to be.

Bridge Littleton: What'd you forget, Tina?

Tina Staples: Pardon me for just a minute. [inaudible]

Bridge Littleton: It's all good.

Tina Staples: Difficulty. I couldn't get it. If you want to give me a three minute timer. I'm okay with that. I had about five seconds. I didn't think I could manage all of it in five seconds. But we can try. Ready, set, go.

Philip Miller: Just got to pull a Stuart [off mic].

Tina Staples: Hey. Oh, that's right. Any questions? Okay. Thank you. [laughter] All right, so these are just end of the year expense transfers. All of the transfers are coming from contingency funds, so we are not increasing the budget in any way on either side. A lot of this goes over to the police department. It's kind of hard to always anticipate the salaries and the overtime and the extra expense with the police department. But hopefully as we move along, we'll get a little better gauge on that. But as salaries increase, you know, that's kind of a moving target. And then outside of that, we did have some increases in insurance costs this year, which was really us adding on more aspects to our insurance coverage and a lot of it had to do with cyber technology and cyber-crime. So, you know, we weren't psychic or anything. We

actually did that at the beginning of the year. So and outside of that, we gave an additional amount to the charity when the health center, turned into the charitable foundation and they withdrew their funds from the health center to go into their foundation. They did have some unrealized losses on one of their investments that the town was holding. And we brought that back to you at that time and said if we could go ahead and clear it out for them. So that's a portion of what that is. And we also only budgeted for half of the year for rental for the police department, for their space. So of course, we have to add on the second half of the year to that as well. And since you did give us permission to purchase the truck for the police. Sorry, for the maintenance fleet. We're going to do a budget amendment this year since this is the year we're spending it in. Do you have any questions?

Bridge Littleton: Any questions for Tina? So, Rhonda. Okay, good.

Peter Leonard-Morgan: Sorry. My only question was, obviously, a lot of these are beyond our control, but items like, for example, overtime and what else was there? The well, certainly the police department we know about that, the rental and the need for that. Have we added or have we adjusted our budget for 24 to, you know, for things like that, learning from that?

Tina Staples: You know, we do. And I almost think that we bump these up almost about every year. The overtime some of that is repaid back to us. So we get reimbursed from like the sporting library or other places that have events. But I can't offset those in that expense line themselves. They have to come in as revenue. So there is some of that going on. And then the other wages is really not just for part time employees but also for any bonuses, things like that, that are given out, spot bonuses, awards. But yes, we do try to continue to fluff it up a little bit so we don't have to come back and ask for more.

Peter Leonard-Morgan: Thanks very much, Tina.

Tina Staples: Yes. Yes, sir.

Bridge Littleton: So I'm going to be very accurate. We don't fluff it up. Well, we adequately budget for the expenses we think we need and then adjust as appropriate as the year goes on.

Tina Staples: Thank you for the correction.

Bridge Littleton: Yes.

Tina Staples: I used my slang term, the technical version.

Bridge Littleton: She used the.

J. Kevin Daly: Technical term.

Bridge Littleton: No, no, that's the inter-government term. [laughter] So. Okay. Any other questions for Tina? So real quickly, Rhonda, we've got this under public hearing, but as I read the memo, we don't have to do a public hearing.

Rhonda North: So technically, because you are not increasing the budget, you don't have to do a public hearing. But Danny wanted the opportunity for the public to comment on the adjustments. So legally, by law, no, you're not required to have it. But we have advertised it as a public hearing. Okay. And we will need to do a roll call vote since it does involve the budget.

Bridge Littleton: Got it. Okay.

Tina Staples: I think it's the the eyes of transparency.

Bridge Littleton: No, no, I get all that. I get all that. I'm fine with that. It was just I want to make sure I wasn't reading that wrong.

J. Kevin Daly: Do we have any public comments?

Bridge Littleton: Well, that's what I was going to say. So I'll open now for any member of the public who wishes to provide any feedback on the budget amendment.

Will Moore: Yeah, he's opening the hearing. [off mic]

Bridge Littleton: Okay. We'll close public comment on the budget amendment. So is there a motion or wait, any discussion? Nope. Okay. Would someone like to make a motion?

Bud Jacobs: I move that the Middleburg Town Council approve the attached amendments to the fiscal year 23 amended budget.

J. Kevin Daly: Second.

Bridge Littleton: Any discussion? Rhonda, would you call the roll, please?

Rhonda North: Vice Mayor Leonard-Morgan.

Peter Leonard-Morgan: Yes.

Rhonda North: Council Member Bernard.

Chris Bernard: Aye.

Rhonda North: Council Member Daly.

J. Kevin Daly: Aye.

Rhonda North: Council Member Jacobs.

Bud Jacobs: Aye.

Rhonda North: Council Member Miller.

Philip Miller: Aye.

Rhonda North: Council Member Pearson.

Cindy Pearson: Aye.

Bridge Littleton: All right. On to any public presentations? I don't think so. So staff reports Will are? Will, Jesus. Stuart, are you on?

Rhonda North: You know what? We didn't set up for an [inaudible] conference and we forgot to tell Stuart.

Chris Bernard: Poor Stuart's just sitting on his phone right now.

J. Kevin Daly: Where are they? [laughter]

Bridge Littleton: Well, I tell you what. Anybody have any questions they would like to address to Will Moore?

Peter Leonard-Morgan: [off mic]. Yeah. There was an issue, as we know, in town with sort of [multiple speakers] milky, bubbly water. We had a Utility Committee Meeting not long ago, and I believe I'm right in saying that there were a couple of strategies employed to try and reduce that. And I've certainly seen it's much improved, if not altogether.

Cindy Pearson: I see a few flicks of maybe for when they wash. What's it called?

Will Moore: Is it black? Yeah. Yeah, that's probably manganese. So when we replace the well pump at well three, we actually had to pull the pipe at the same time. And when the pipe set there for a long time, a lot of the manganese was in there hardened. And then when the pump came back online, it brought a lot of that into the system. So but we've been doing I think we've now completed the hydrant flushing, which should have cleared out a lot of that.

Cindy Pearson: Thank you.

Bridge Littleton: Philip.

Philip Miller: Where are we with Well 4?

Will Moore: I don't have a full answer on that as I was not at the last Utility Meeting, but we were mobilizing. There were some hatches that needed to be installed underneath the tanks so that we could get in and clean out a lot of the media that keeps showing up every time we do a backwash cycle. But I am not certain on the success of running a backwash cycle since then. So we'll have to circle back with you on that.

Bridge Littleton: Did you guys talk about it at your Utility Meeting?

Peter Leonard-Morgan: We did talk about it and they were successful in a lot of the flushing or the clearing out of the debris that's been there for years. And I think very close to being ready to put it back operational.

Will Moore: Which will further help the water quality throughout town because, of course, we're relying a good bit on Well 3 right now, which does not have the full treatment that we have at, Well 4.

Bridge Littleton: Cindy, yeah.

Cindy Pearson: I never know if this is the place to ask about the water tower being worked on.

Bridge Littleton: I was going to ask the same question. Go ahead.

Cindy Pearson: I do notice when they're trying to bring up the covering. [off mic] Yeah. The curtains and which they're doing. The wind has not been cooperating with them at all. But I do see when they pull it up sometimes that there are nice sized holes in some of that. And I call it canvas. I don't know what that stuff is that they're using. So they have taken some of it down and put another over top. I mean, they're trying greatly, but I do hope someone's going to double check on those big ole holes before they start.

Will Moore: Yeah. Okay. Thank you for bringing that up.

Bridge Littleton: So the question I had, Will, was, I mean, I've noticed them several times. I mean, before we left and even after trying to get it up. And then you had to take it down and all that kind of stuff. Is this going to delay us getting it done on time?

Will Moore: As of our progress meeting last Friday, no, but we will have another meeting at 11:00 tomorrow morning just to get updates. There is to borrow Tina's term, there's not a lot of fluff built in the schedule, so. [laughter]

Bridge Littleton: It's called, flex, not fluff.

Will Moore: Every day is important to us. So just like we were pre project even throughout the project we will be holding at least the weekly update meetings. So we'll be getting a status update tomorrow morning.

Bridge Littleton: Okay, good.

Cindy Pearson: I have people asking me all the time what color are they going to paint it? Are they painting it back that white or?

Will Moore: It's white.

Cindy Pearson: Yeah, that's what I thought.

Bridge Littleton: Thank you. And no logos? [laughter]

Cindy Pearson: No.

Bridge Littleton: Okay. Good to know because I think it was a week and a half ago I saw them trying to pull it up and I'm like, Oh, it's going up. And then all of a sudden it was coming down and I was like, okay. But it was blowing like a sock. I mean, it was. [off mic] Yeah, yeah, yeah. Okay. Any other questions on utility stuff? Yeah.

Chris Bernard: I'm looking at the water bill to water distributed well, and maybe since Stuart's not here, I wonder if this is something he could get. I'd be curious to see the data on that, those data points on this graph going back. I don't know as far as they have them. Is that something you think they could get? Oh, you might have that.

Tina Staples: Yeah. So we started putting this together maybe a year and a half ago. So, I mean, I can pull the data that we have from a year and a half ago, but trying to piece it together from before that we could do, it would take some time.

Chris Bernard: But I'm just wondering if there was a pattern to it? And is it like a seasonal pattern or and or is it, you know, over time, are we getting significantly better? I'm just curious to play with it.

Tina Staples: You're absolutely right. I think that the longer it goes on, I think hopefully we will start to see a pattern. You know, the usage is up in some months and down in others. And when the billings are up.

Chris Bernard: Because it looks like this past period, we were great, 97% and put in November and December 78. So it just seems like it's all over the map. You know it'd be interesting to look at.

Bridge Littleton: What was the month we installed the new electric meters.

Cindy Pearson: That's probably a part of it.

Tina Staples: That was last.

Bridge Littleton: In the last year?

Will Moore: It's been within the last year, Yes.

Tina Staples: Yeah.

Peter Leonard-Morgan: It wasn't.

Bridge Littleton: It wasn't during that period, okay.

Chris Bernard: It was before that.

Bridge Littleton: All right. [off mic] All right.

Tina Staples: I can. It'll kind of make it bigger or we can find a different way to show it. But I can graph all of the data we have to date.

Chris Bernard: Yeah, I'd actually.

Bridge Littleton: Sure.

Chris Bernard: I would actually love it if you have it in just the raw spreadsheet form.

Tina Staples: Okay.

Bridge Littleton: Oh, Lord.

Bud Jacobs: Of course you would. [laughter]

Chris Bernard: Like I'm curious to look at it, maybe not just in these increments, but grouped together whole years. Yeah, well, go backwards on [multiple speakers].

Will Moore: I mean, we're obviously happy to provide any data we have. It may be worth a discussion with the Town Manager when that data is being provided. There were some periods of extreme unreliability in the data that we had. So if we go back 2 or 3 years, they're going to be some real big dips where we had malfunctioning meters at a well, for example, that just threw everything off. So.

Chris Bernard: Okay. Cool. Thank you.

Bridge Littleton: Any other questions for Will on utilities? Okay. Next up is Project Status Update. Mr. Moore, back to you.

Will Moore: So the main thing I was going to highlight is where we are with the water tower, which is part of this report. So, again, we're holding those weekly meetings as well as Mr. Davis did distribute to you the ballot that is being sent out to receive input on potential options for the South Madison Street project. So that's underway. We are receiving those and Dana is starting to log in the results as those come in. So nothing else to highlight on here.

Bridge Littleton: The only question I had was and I don't know, it's just a question, do we have any ARPA funds left that we haven't expended? [off mic]. We do. Was there anything in the budget, whatever deal it was? Because I know they were trying to claw back a lot of unspent ARPA. So is any of the money we haven't spent yet subject to that.

Tina Staples: No, because it's the money that we have not spent has already been encumbered on a project.

Bridge Littleton: It's been allocated.

Tina Staples: Yes.

Bridge Littleton: Okay.

Tina Staples: So yeah, I can try to take it back, but I have been very gently nudging the Utility Committee to get Well 4 up and running and done so that we can spend out the last of that money before the final date.

Peter Leonard-Morgan: Yeah. Yeah, I think we've been fluffing that one a bit. Sorry.

Tina Staples: Yes, we have. And I have apparently have bothered Bob enough that he sent us some bid documents.

Will Moore: Yeah. So we will be putting out, if not tomorrow, the beginning of the week bid documents for both the Well 4 Clearwell project, as well as the Septic Conversion project along Stonewall and Lincoln Roads.

Bridge Littleton: Oh. Okay. Any questions for Will on any of the projects? All right. Next item is any Reports from Town Committees. Go Green. [off mic] Note this date. Okay. Anybody wish anything removed from the consent agenda? Is there a motion on the consent agenda?

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

J. Kevin Daly: Second.

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

All of Council: Aye.

Bridge Littleton: Opposed? Abstentions? Okay. Action Items. Council approval of a Town Hall Custodial Services Contract. And who owns this one? Mr. Moore.

Will Moore: Yes, sir. You have the memo on this, just in brief. We put custodial services for the new building, as well as Liberty Street restrooms grouped in with that out to bid in January. We received nine bids, so low bid at \$19,800 annualized for both of those facilities. We've been in close contact with the proposer. The bid documents when we put them out, anticipated occupancy on or about April. So but they have been very understanding and continue to honor their bid. So we just want to go ahead and get the contract finalized and it would not commence until we issue a notice to proceed. So we won't be paying them for times when they're not providing service.

Chris Bernard: So. Great.

Bridge Littleton: Anybody have any questions for Will on this one? Yeah, Peter.

Peter Leonard-Morgan: Thanks. So my concern is the high bid was \$84,000 and the low bid was \$19,800. Is there a worry or a concern that I mean, do we know the company and do you I mean, it's a much bigger building and it does seem an awful lot of money for that.

Will Moore: So, I mean, this was not an RFP. So this is not one where we take into consideration past performance or things like that. Some of these highest bids you could just throw out. Honestly, they were I don't even know where these numbers came from, but there still is a lot of variation. So to kind of address that, we had done a walk through with interested bidders prior to bids being due just so they got a physical idea of the actual space. You know, we include floor plans, things like that. But we were concerned that, you know, we would get somebody who bid really low, not having seen the space. This particular group had not seen the space prior to submitting their bid. But they have come in since and walked the building and they expressed no concerns with and again, they're continuing to honor their bid. They could have probably withdrawn once we started pushing back. Not our own choice, but, you know, the commencement date for the contract. So I'm very comfortable with this. And if there are issues, this contract is only valid through June of next year. There are options to renew. But we would have the opportunity if for some reason this didn't work out, that we could then seek new providers next year.

Cindy Pearson: And I think you answered my question because I was going to say, did you speak? Did you get any references? But did you say you can't, you didn't?

Will Moore: References were included in the package? And we did call around, I think like most providers, most not all, but most are smart enough to give you the references they know are going to come back well, so but there were no concerns raised there by any of the references.

Bridge Littleton: Bud.

Bud Jacobs: Under the proposed contract, how frequently do they clean?

Will Moore: So this is three times per week; Monday, Wednesday, Friday. And I forget, is that Monday night.

Rhonda North: Into Tuesday morning.

Will Moore: Into Tuesday morning, Yeah. So we gave them the option to clean during late night or very early morning periods so they could be cleaning late Monday night or as early as, you know, or as late as 7:00 on Tuesday morning, but three times per week.

Bud Jacobs: I guess to me the number seems awfully low for the services that we're asking them to provide.

Chris Bernard: Charging us \$126 bucks every time they come out.

Bud Jacobs: Which is low. That's less than I pay, my cleaning lady by the way.

Philip Miller: Me, too.

Bud Jacobs: And when we face a situation like this, the primary concern I always have is performance. I'm a little concerned, I guess I would say. We'll have to see what happens. But.

Bridge Littleton: Well, so let me ask a quick question then to that point. If they're not performing well, can we cancel the contract?

Will Moore: There are provisions for non-performance in the contract. I would have to I don't know those off the top of my head, but I know there are some provisions within there, so.

Bridge Littleton: I mean. Yeah, because you look. I mean, like the one contract, which is the highest, right, 84. I mean, \$24,000 a year to clean the Liberty Street bathroom. I mean, it does not take \$2,000 a month. So, I mean, that one's ridiculous. But [off mic] yeah, well, 100 at a time, right? It's I think Chris that's your math, right? [off mic] 120 bucks per cleaning time. Yeah. And it's a 10,000, 11,000 square foot building.

Peter Leonard-Morgan: Sorry. I meant what I meant was \$1,296 for the Liberty Street restrooms yearly is 100 bucks. Right.

Bridge Littleton: No, no, I'm talking about down here.

Peter Leonard-Morgan: Oh, I know. Oh, I know. I agree. I agree.

Bridge Littleton: [off mic] Yeah, the one that's \$84,000. [off mic]

Peter Leonard-Morgan: Sure, sure.

Bridge Littleton: Yeah, it's ridiculous. So. No, no, I get your point on that one. What's their cleaning frequency on Liberty, same thing?

Will Moore: Same.

Chris Bernard: Yeah, that three times a week. What was the total? [off mic]

Peter Leonard-Morgan: It's basically just over \$100.

Cindy Pearson: [multiple speakers] \$100 a month.

Bridge Littleton: No, no. But that's going to be 100 a month divided by 12. [multiple speakers] But it's 12.

Chris Bernard: Time out. What's the total amount?

Bridge Littleton: \$1,296. [off mic]

Chris Bernard: \$8.30. So it's cleaning minimum wage per hour.

Bridge Littleton: What do you think?

Will Moore: I think we have done the best diligence we can with them at this point. I mean, again, we invited them out. We gave them a full walkthrough. We talked about, you know, I mean, the contract is very clear about the expectations, but we talked about those expectations as we did the walkthrough. There's not much we can do at this point other than honor this as the low bid and then closely monitor, which we would do regardless of the bid amount monitor performance.

Chris Bernard: [off mic]

Will Moore: Yes, if we have to take the lowest responsive and responsible bidder and they meet those definitions. [off mic] Correct? Yeah.

Bridge Littleton: Okay. No, I mean, so I guess, yeah, it's going to be monitoring.

Will Moore: Yeah.

Bridge Littleton: Okay. Sort of like we had to do on a building.

Philip Miller: We want to make sure we know what those provisions are for if we need to make a change to the contract?

Bridge Littleton: It doesn't matter. I mean, we have to take this bid. So, I mean, Will just I guess the point would be you guys make sure if they don't perform, you have a way out. You can terminate the contract.

Chris Bernard: [off mic] once we contract.

Bridge Littleton: Sure. Well, did you guys give them a draft contract?

Will Moore: Yes.

Bridge Littleton: Yeah. So if you start going back then you've changed the terms of the bid because the other guy will go, well if I had known that, I would have done something different. So. Okay. Well.

Cindy Pearson: It is what it is.

Bridge Littleton: Yeah. And you guys will monitor the building and we'll hear from the public if the bathroom isn't clean. Okay. All right. I guess it is what it is. Any. [off mic] What's that?

Philip Miller: That's the problem with this.

Bridge Littleton: State law. Yeah. Okay. Would anybody like to read the motion?

Chris Bernard: Anyone excited about reading that motion?

Bridge Littleton: Yeah, I know.

Peter Leonard-Morgan: I'll do it. I move that Council approve a contract with JV Cleaning Service LLC in the amount of \$19,800.

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

Will Moore: Did we have a second?

Bridge Littleton: Oh, wait, it's a voice. Hold on a second. Sorry. And we have to do a roll call, Rhonda.

Rhonda North: Since we're spending money.

Bridge Littleton: Martin. Good Lord. Okay.

Rhonda North: Vice Mayor Leonard-Morgan.

Peter Leonard-Morgan: Aye.

Rhonda North: Council Member Bernard.

Chris Bernard: Aye.

Rhonda North: Council Member Daly.

J. Kevin Daly: Aye.

Rhonda North: Council Member Jacobs.

Bud Jacobs: Aye.

Rhonda North: Council Member Miller.

Philip Miller: Aye.

Rhonda North: Council Member Pearson.

Cindy Pearson: Aye.

Bridge Littleton: Okay. Any discussion items? Oh, real quick, Rhonda, do you want to email?

Rhonda North: Margaret is on the line.

Bridge Littleton: She is, okay, good. Any discussion items? Information Items. The only one I'll mention, Gary mentioned it earlier. June 29th, 6:00 p.m.. American Legion. Steve Torpy will be coming out Director of Parks and Recs to hear from the community on Mickie Gordon Park. I did speak with Robin Bartok earlier this week. She works for

Tony Buffington. They have some concerns as well. I think there's a little bit of not cross talk, but a little bit of you know, there's multiple issues here, right? There's the lights and the traffic and all that. There's providing adequate recreational facilities for people who live in this community. And then the other thing I put on Robin's item list was the lack of maintenance that's been going on with Mickie Gordon for the last, you know, since before Covid. Yeah. And she was not really aware of that. And she said, Well, why don't you guys do this? Why don't you put together a bullet list of what you want to see from the community? And that can be the starting point. And I thought that was a really good idea. So I've drafted sort of a bullet point of, you know, there's issues and concerns about what the proposal. But, you know, what do we want Mickie Gordon to be? That's the opposite side of it. And so I'm putting that together. I'll send it to everybody, you know, probably sometime tomorrow. But the things I'm going to put on there are like restoration of the main baseball diamond. I don't know if you guys have gone out and seen that, but the main baseball diamond a couple of months ago, they took out all the bags and they put a big AstroTurf strip right down the middle of the field. So it can't even be used for baseball anymore. The other baseball diamond, which was sort of the practice one, it's completely grown over. There's no mound, there's no bags, there's no dirt. The soccer field, the soccer goals are actually in the woods. So, I mean, they really have just.

Chris Bernard: The tennis courts are terrible.

Bridge Littleton: The tennis courts are rotting apart. So and I've taken pictures of all that stuff. And what I'm going to try to do is get Mr. [inaudible] to print them up and some posters and have them there for Steve to see because I doubt he's gone out to Mickie Gordon and since he's been the Director so.

Cindy Pearson: It's that little ball field that was next to the tennis courts?

Bridge Littleton: That one's a wreck.

Chris Bernard: Yeah. It's just overgrown.

Bridge Littleton: Yeah. The only thing they do is is mow. That's it. They don't do anything else. So.

Cindy Pearson: Yeah it's interesting they had that they're looking for ideas for is it West Park and Leesburg?

Bridge Littleton: Yeah.

Cindy Pearson: I got a great idea. [laughter]

Philip Miller: Actually a couple of years ago they actually got rid of all of the sand in the infield and covered it with grass. Yeah.

Bridge Littleton: On the one next to the tennis court. Yeah. [off mic].

Bud Jacobs: I'd like to see some sort of marker or sign describing the history of the place and why it's there and how it fits with our community. Could you put that on there?

Bridge Littleton: Absolutely. Yep. Yep. Well.

Chris Bernard: To piggyback on that, I think it's the [off mic] traffic and the lights. It's the new park wouldn't be something that fits with our community. And then there's also kind of the removal or destruction of something with a little bit of historical or cultural significance. So we shouldn't lose that.

Bridge Littleton: Yeah, well, and I saw Miss Hall at the Juneteenth thing and a lot of members of the Hall of Fame are going to come, which is who it was originally named for. The other thing that I thought was interesting that Robin said was that when she had reached out to Parks and Rec one of the comments that one of the staff folks there made was, well, we don't get requests from teams to play there that often. And so that's why we thought nobody cared. And it's like I

said, Robin, you don't understand. Robin gets it. I said, What they don't understand is this is not like Sterling where you have league play that you have to sign up for. And if you don't, you don't get a field, you know, and there's it's a lot here. It's a lot of pick-up games. Right. So like, you know.

Philip Miller: Good luck using the field at all right now.

Bridge Littleton: Yeah I mean like Chris Horner would go out there and had to pick up soccer league. They would actually take their own lawn mowers and mow it. So and Robin's like, Oh, yeah, I don't think they get that. And the way they think about it is like, if it's not some league where everybody is paying fee. [off mic] Yeah. That it's and I'm like, it's not a passive park but it's one that people use on the fly, but it doesn't mean it's not used just because it's not on your calendar. So I think we need to make that point as well. So anyway, yeah, as many folks as can show up next week would be great. Is it next week?

Cindy Pearson: Yes, it is. Next Thursday.

Bridge Littleton: A week from today.

Bud Jacobs: Should be packed.

Bridge Littleton: Oh, yeah. [off mic] Yeah. [laughter]

Cindy Pearson: Bring them on.

Bridge Littleton: Yeah. Okay, cool. And I think right now we're at about 700 on the online petition, which is great. Okay. Any other information items? Nope. Okay, we're going to go to closed session. Who would like to read the motion?

J. Kevin Daly: Peter has the voice.

Bridge Littleton: He does have the voice. He has the accent. Yeah.

Peter Leonard-Morgan: I move that Council go into Closed Session as authorized under section 2.2-3711 of the Code of Virginia for the performance review of the Town Manager as allowed under subsection A1. I further move that the Council thereafter reconvene in Open Session for action as appropriate.

Bridge Littleton: Is there a second?

Cindy Pearson: Second.

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

All of Council: Aye.

Bridge Littleton: Abstentions? Okay. We're good.