



**MIDDLEBURG TOWN COUNCIL**  
**Regular Monthly Meeting Minutes**  
**Thursday, March 14, 2019**



**PENDING APPROVAL**

**PRESENT:** Mayor Trowbridge M. Littleton  
Vice Mayor Darlene Kirk  
Councilmember Chris W. Bernard  
Councilmember J. Kevin Daly  
Councilmember Kevin Hazard  
Councilmember Peter Leonard-Morgan  
Councilmember Philip Miller  
Councilmember Cindy C. Pearson

**STAFF:** Danny Davis, Town Administrator  
Martin Crim, Town Attorney  
A. J. Panebianco, Chief of Police  
Ashley M. Bott, Town Treasurer  
William M. Moore, Deputy Town Administrator  
Jamie Gaucher, Business & Economic Development Director  
Tina Staples, Office Manager

The Town Council of the Town of Middleburg, Virginia held their regular monthly meeting, beginning at 6:00 p.m. on Thursday, March 14, 2019 in the Town Hall Council Chambers, located at 10 W. Marshall Street. Mayor Littleton led Council and those attending in the Pledge of Allegiance to the flag.

**Public Hearing**

**Amendment to Historic District Guidelines - Murals**

Catherine “Bundles” Murdock, 609 Blue Ridge Avenue, appeared before Council in support of the amendment.

There being no further public comment, Mayor Littleton closed the public hearing.

Deputy Town Administrator Moore reviewed the history of this item. He reminded Council that after studying the matter for months, the HDRC came to the consensus that they did not believe murals were appropriate for the Historic District.

It was suggested that a definition be provided for a “mural”. Deputy Town Administrator Moore reminded Council of the HDRC’s plans to amend the entire document within the next eighteen months and suggested it be included at that time. He clarified that as recommended, murals would not be appropriate anywhere that was within the purview of the HDRC, meaning that they were subject to view from a public street.

*Councilmember Pearson moved, seconded by Councilmember Daly, that Council adopt an amendment to the Historic District Design Guidelines pertaining to murals as contained in the draft recommended by the Historic District Review Committee on January 3, 2019.*

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

No – N/A

Abstain: N/A

Absent: N/A

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

## Staff Reports

**Stuart Will, of IES**, reported that the Salamander well was back online. He noted that the flow rate had deteriorated over the years; however, with the new pump, it returned to fifty gallons per minute. Mr. Will advised Council that as a result, the capacity increased at the water treatment plant.

**Town Administrator Davis** reported, on behalf of Town Clerk North, that work continued on the new website. He advised that the staff expected to see the initial design next week.

**Business & Economic Development Director Gaucher** reported that nine people were identified to be ambassadors for the branding project. He noted that they received surveys and would meet with the contractor on March 19<sup>th</sup>.

Business & Economic Development Director Gaucher reported that the newly reformed Economic Development Advisory Committee (EDAC) would meet on March 26<sup>th</sup>. He advised that next week, he would meet with the Town Administrator and Deputy Town Administrator to review a short-term economic development strategy and draft SWAT analysis, as well as a database of existing empty storefronts and buildings.

Business & Economic Development Director Gaucher reported that four new businesses had opened in town – Purple Cherry Architects, Southerly House, a psychiatrist and Little Lambkins.

**Town Treasurer Bott** reported that by the next billing cycle, Paymentus, the new online bill paying system should be in place. She noted that she would include a flyer into the next bill to alert the citizens.

Council noted that the staff had another month of analysis with regard to revenues. It was further noted that they were using past revenues to forecast future ones for the coming budget year. The Council questioned whether the past month's revenues were put into the projection model.

Town Administrator Davis advised that they had not because the staff was looking at the revenues in six month increments and because they knew they were lower at this time of year. He confirmed the staff was continuing to watch them and would make adjustments as needed.

Town Treasurer Bott reported that she was missing one bank franchise tax report; however, based on what she had received to date, the revenues were up thirty percent over what was budgeted. She reminded Council that the Town estimated the effect of the changes in the local banks when it projected the bank franchise revenue and advised that it was not going to be as terrible as was originally thought.

Town Administrator Davis reported that business license revenue was also very strong this year. He noted that it was projected to be \$350,000; however, the Town had received \$438,000 to date.

Council inquired as to the effect of the new credit union on the Town's bank franchise tax. Town Treasurer Bott explained that because they were a credit union, they did not pay the franchise tax. She advised that the Town would only collect a business license fee from them.

**Chief Panebianco** noted that Officer Davis recently responded to two death scenes. He recognized him for the compassion he extended to the families during those events. Chief Panebianco also recognized Lieutenant Hollins for his graduation from PELS, which was an advanced leadership school for police officers. He reported that once Lt. Hollins was off the night shift, he would prepare a plan to implement some of the new things he learned.

Chief Panebianco reported that a General Assembly bill that would have allowed law enforcement agencies to self-certify their officers was killed at the request of the Virginia Chiefs of Police Association. He further reported on a DCGS ruling that would have negatively affected the force multiplier ability in this region. Chief Panebianco opined that it had been subverted as well.

Vice Mayor Kirk questioned whether cars that were parked in residential areas were supposed to be completely off the street. She asked that the officers check on this and advised that some tight spaces were being created.

Chief Panebianco reported that this was addressed on a case-by-case basis and advised that if it created an obstruction to traffic, they addressed it. He noted that sometimes, they simply asked the owner to move the car as opposed to issuing them a ticket.

Chief Panebianco reported that he, Mayor Littleton and Councilmember Leonard-Morgan recently judged a speech and debate competition for children ages twelve to eighteen in Purcellville. He opined that the students did an amazing job.

Council acknowledged that the police officers did radar enforcement in an effort to slow down speeders; however, they noted that they recently observed a lot of speeders coming into town during the rush hour.

Chief Panebianco reminded Council that his budget request included a mobile sign that would flash to alert motorists when they were speeding. He opined that this would help slow them down on the one end of town. Chief Panebianco noted that they had room to do enforcement on the other end. He advised that the sign would also provide data on whether motorists were truly speeding.

**Deputy Town Administrator Moore** reported that an organizational meeting of the Board of Zoning Appeals was scheduled for April 1<sup>st</sup>. He further reported that the Planning Commission was scheduled to hold a public hearing on Dan Orlich's comprehensive plan amendment request on March 25<sup>th</sup>. Mr. Moore opined that they would likely forward a recommendation to the Council subsequent to the hearing.

Deputy Town Administrator Moore reported that the Town would be involved in the subdivision process for the parcel of land located at the corner of Route 50 and Sam Fred Road, even though the property was outside of its corporate limits. He explained that a portion of it fell within the subdivision control area. Mr. Moore advised that he was working with the County and the applicant to determine the process given that both the Town and the County would be involved in the review. He reminded Council that subdivisions were ministerial acts, meaning that if the application met the relevant ordinances and technical requirements, the two bodies would be obligated to approve it. Mr. Moore offered to share the preliminary layout plan with the members of the Council.

Deputy Town Administrator Moore advised Council that he was awaiting a response from A&M Concrete on when they would begin work on the Marshall Street Sidewalk Project.

Mayor Littleton asked that the Council be kept apprised of the timeline for the subdivision item. He acknowledged that it was a ministerial act; however, he advised that he would like to interject, if possible, even if it was not possible to stop the project.

Mayor Littleton advised that he recently had a conversation with a member of the County Planning Commission regarding the rural and transition policy areas and the requirement for open spaces. He noted that those open spaces were never restricted and suggested that future commissions could change the requirements. Mr. Littleton advised that he asked him whether it was possible to cluster the development and put the remainder into a conservation easement, to which the Commissioner responded that "he had never thought of that and would consider it". He noted that he asked him to send information on how that might work. Mr. Littleton asked the Town Attorney, Town Administrator and Deputy Town Administrator to identify how something that like could work. The Council held some discussion as to who would pay for it.

**Consent Agenda**

- (1) Approval of Minutes – February 4, 2019 Work Session; February 14, 2019 Regular Meeting; February 28, 2019 Work Session
- (2) Arbor Day Proclamation
- (3) Local Government Education Week Proclamation

*Councilmember Miller moved, seconded by Councilmember Daly, that the Council approve the consent agenda as submitted.*

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

No – N/A

Abstain: N/A

Absent: N/A

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

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**Action Items**

**Special Event Funding Requests – Cultural & Community Events Committee**

Business & Economic Development Director Gaucher reported that the Cultural & Community Events Committee (CCEC) recommended funding the Shakespeare in the Burg festival in the amount of \$7,500 and the Middleburg Spring Races in the amount of \$5,000. He noted that the Town previously provided Shakespeare in the Burg with a \$5,000 donation; however, they were looking to expand their event by doing a children’s workshop and implementing awards for the One Act Play Competition.

*Councilmember Daly moved, seconded by Vice Mayor Kirk, that Council approve the amounts of support to meet Shakespeare in the Burg as stated. Councilmember Daly further moved, seconded by Vice Mayor Kirk, that Council approve support for the Spring Races in the amount as requested.*

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

No – N/A

Abstain: Councilmember Hazard

Absent: N/A

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

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**Contract for Financial Advisor Services – Davenport**

Town Administrator Davis reminded Council that financial advisors provided valuable services to municipalities. He further reminded them that the Town had worked with Davenport for approximately ten years, dating back to when its financial situation was dire, and noted that the Town had come out of the recession strong with Davenport’s assistance. Mr. Davis explained that part of the benefit of utilizing a financial advisor was to have an outside look at how the Town was doing financially; how it was doing in terms of its planning; how it was doing from an operations, capital and debt service standpoint; and, where it stood in terms of its adopted ratios and best practices and when compared to other jurisdictions. He noted that the Town used Davenport in the past to do a deep dive into its General and Utility Fund finances; however, for the last two years, they provided more of a refresh. Mr. Davis reported that the staff talked to them about doing an even deeper dive in order to assist with long-range planning, including taking on debt service to fund a portion of the new Town Hall project.

Mr. Davis reminded Council that the Town recently completed two large Utility Fund projects. He further reminded them of the Fund's limitations with regard to debt service. Mr. Davis suggested the need to plan for the right amount of reserve funds, as well as capital funding to meet the Town's future needs.

Mr. Davis advised Council that the staff identified deliverables it would like to receive from Davenport, including a long-range outlook of the economy and how that could affect the Town's General Fund revenues; a financial review and overhaul of the Town's fiscal, reserve and investment policies; and financing the new Town Hall Project. He noted that each of the deliverables would be provided based on an amount not to exceed cost. Mr. Davis advised that at the request of the Mayor, he did reach out to another firm that provided financial services to get a quote; however, it was significantly higher. He reminded Council that Davenport knew Middleburg and that they were competitive in terms of rates. Mr. Davis noted that they had a contract with Loudoun County that the Town could ride. He advised that he would like to get moving on the first deliverable quickly as that information was needed to assist the Strategic Finance Committee with their work. Mr. Davis further advised that the discussion of the Utility Fund was also critical as the Town was going through the budget process.

Council noted that the staff was proposing the funding for this contract come from surplus funds for FY '19. They further noted that they previously talked about using those funds for specific things and asked whether this would be in addition to those.

Town Administrator Davis noted that the Town had some built-in contingency reserve funds it could use or it could use surplus funds. He reminded Council that the business license revenue alone would exceed the budgeted amount by \$85-90,000.

Council questioned whether Davenport could help them make the budget process more focused. Town Administrator Davis confirmed they could; although, he noted that that may be more of a case of how the staff developed the budget on the backside. He suggested that as the staff continued to develop it, they may find there to be steps that could help them develop things better.

Council expressed hope that Davenport could provide them with a better understanding of the economic triggers they needed to consider during the budget process.

The Council held some discussion of the not-to-exceed-cost of \$74,161. It was noted that they would be paid per phase at the conclusion of their work.

Town Administrator Davis reported that Davenport believed they could provide the Town with a deliverable within six weeks, which could then be provided to the Strategic Finance Committee in early May. He noted that the General and Utility Fund reviews would be an ongoing process; however, Davenport would jump into the utility discussions immediately.

Mayor Littleton opined that the Council's priorities were numbers one (long-range outlook) and four (Town Hall funding).

*Councilmember Leonard-Morgan moved, seconded by Councilmember Miller, that the Council authorize the Town Administrator to enter into a contract with Davenport & Company, based on the Loudoun County contract and scope of services described herein, at a cost not to exceed \$74,161, using surplus FY '19 funds for this contract.*

The Council held some discussion about the funding. Town Administrator Davis noted that the funds could come from fund balance if desired.

*Councilmember Hazard made a friendly amendment to strike the last half of the sentence about using surplus FY '19 funds. Councilmember Leonard-Morgan agreed to accept the amendment.*

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

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Request to Remove Tree – 14 S. Madison Street - Old Ox Brewery

Chris Burns, owner of Old Ox Brewery, appeared before Council to answer any questions they may have.

Deputy Town Administrator Moore reminded Council that Mr. Burns’ original plan was to keep the existing Elm tree; however, after meeting with his contractor and the Streetscape Committee, he was convinced that he could not proceed with his plans and keep it. He reported that the Streetscape Committee indicated the tree was already too large for its location. Mr. Moore advised that in order to preserve it, the Streetscape Committee’s arborist indicated that Mr. Burns would need to forego development in the courtyard because the root system was so widespread. He reminded Council of the ordinance provisions regarding the removal of a healthy tree when it was associated with development, which required their approval. Mr. Moore reiterated that the Streetscape Committee was in agreement that there was no way to develop the courtyard and preserve the tree; therefore, they were in favor of its removal. He reported that it would be replaced with a new tree that would be appropriate for the space. Mr. Moore advised that there could be significant issues in the future if it was not removed.

Council questioned whether the tree could have been causing some of the problems that the Health Center building was experiencing. Deputy Town Administrator Moore advised that it could very well have caused the problems with the walkway, as well as the ones for the building and possibly even the building next door.

Council inquired as to the type of replacement tree that would be used. Mr. Burns advised that he was currently educating himself on trees and shrubs and noted that he would submit a landscape plan to the Streetscape Committee before their next meeting. He further advised that he would work with the Committee not only on the replacement, but also on the landscaping in the courtyard.

The Council discussed whether it was possible to reclaim some of the wood from the tree. It was suggested that the Streetscape Committee consider that.

*Councilmember Miller moved, seconded by Councilmember Daly, that Council approve the removal of the Elm tree in the courtyard at 14-16 South Madison Street as alteration of the plans would result in an unreasonable hardship on the development, with the approval subject to the installation of a replacement tree to be approved by the Streetscape Committee.*

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

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Full-Time Employee and Authorization to Recruit – Planning Project Associate Position

Mayor Littleton reminded Council that the new planning position was included in the proposed FY ’20 budget; however, he suggested that help was needed now and recommended that recruitment begin immediately. He noted that the Town would receive an additional \$90,000 in interest on the investment of its reserves, which could cover the cost.

The Council held some discussion as to where this employee would be located. Town Administrator Davis advised that the best location would be on the second floor of the Town Office since this individual would be working with the Deputy Town Administrator. He noted that it would not be ideal; however, it was larger than any other space that was currently available.

The Council held some discussion about digitizing the paper files that were stored on the second floor. It was noted that the Town also had some files at the Well 4 plant that could be digitized.

*Councilmember Pearson moved, seconded by Councilmember Leonard-Morgan, that Council approve the Planning Project Associate in the Planning & Zoning Department. Councilmember Pearson further moved, seconded by Councilmember Leonard-Morgan that Council approve the necessary amendments to the Employee Handbook to include this position as a non-charter position that is exempt from the FLSA. Councilmember Pearson further moved, seconded by Councilmember Leonard-Morgan, that the staff begin recruitment for this position as soon as possible and that any budget amendments needed be brought back to the Council at the appropriate time.*

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

No – N/A

Abstain: N/A

Absent: N/A

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

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### **Discussion Items**

#### **FY '20 Budget – Real Estate Tax Rate Review**

Town Administrator Davis reminded Council that a public hearing was scheduled for March 28<sup>th</sup> on the real property tax rate. He further reminded them of the need to set the rate that evening due to the time constraints associated with the County's collection process. Mr. Davis noted that the staff wanted to give them another opportunity to discuss this prior to the public hearing.

The Council inquired as to the County's proposed real tax rate. Town Administrator Davis opined that they were proposing a three to four cent decrease. He noted that they have been equalizing their rate over the past few years as a result of the income from the data centers.

Council requested that they be provided with a table of the anticipated revenues during the public hearing.

### **INFORMATION ITEMS**

#### **Strategic Initiative Item Review – Parking**

Councilmember Daly reported that the Town was in the process of holding discussions with property owners about the possibility of leasing or purchasing additional parking; however, he could not go into details as the Council was not in closed session. He advised that the Town was looking at the possibility of changing the parking time limits. Mr. Daly noted that a tour of the town determined there were a lot of empty parking spaces on the outskirts of the downtown area and opined that they were not being used because people wanted to park directly in front of the store they were patronizing. He reminded Council that Middleburg was walkable and encouraged people to do so.

Councilmember Leonard-Morgan noted that Go Green was discussing the construction of an electric vehicle charging station, which would remove two parking spaces from the Liberty Street Parking Lot. The Council held some discussion regarding the charging station and how it would operate.

Loudoun County Chamber of Commerce Breakfast

Mayor Littleton noted that the Chamber breakfast was well attended. He advised that they were able to talk about the County's Comp Plan update. Mr. Littleton reported that the County Planning Commission would informally send the draft Comp Plan update to the Board of Supervisors on March 21<sup>st</sup> and would vote on it on March 26<sup>th</sup>. He noted that beginning March 26<sup>th</sup>, the Board would have ninety days to take action. Mr. Littleton advised that the Board of Supervisors would hold two public input sessions – one on April 24<sup>th</sup> and one on April 27<sup>th</sup>. He reminded the members of Council and the audience of the need to register in advance to speak during the hearing. Mr. Littleton noted that all of the Mayors in Loudoun County planned to speak on April 24<sup>th</sup>.

Mayor Littleton called for a brief recess of the meeting at 7:25 p.m. He reconvened the meeting at 7:30 p.m.

**Closed Session** – Disposition of Public Property; Property Acquisition; Appointments to Go Green

*Councilmember Miller moved, seconded by Vice Mayor Kirk, that Council go into closed session as allowed under the Virginia Freedom of Information Act Sections 2.2-3711(A)(3) and (1) for the discussion or consideration of the acquisition of property or the disposition of publicly held property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body; and, for the discussion, consideration or interviews of prospective candidates for employment, assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees and employees of the public body. Councilmember Miller further moved, seconded by Vice Mayor Kirk, that these matters be limited to (1) the acquisition of property for a Town Administration Building; (2) the disposition of a Town right-of-way; and, (3) appointments to Go Green. Councilmember Miller further moved, seconded by Vice Mayor Kirk, that in addition to the Council, the following individuals be present during the closed session: Danny Davis, Will Moore, Jamie Gaucher and Martin Crim for the first two items; and Danny Davis for the third item. Councilmember Miller further moved, seconded by Vice Mayor Kirk, that the Council thereafter reconvene in open session for action as appropriate.*

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

No – N/A

Abstain: N/A

Absent: N/A

(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.

Mayor Littleton directed that the staff move as directed and discussed in closed session regarding the appraisal of the mentioned property.

**Council Appointments** – Go Green

*Councilmember Leonard-Morgan moved, seconded by Councilmember Daly, that Council appoint Katrina Ryan to Go Green to fill an unexpired term, said term to expire May 12, 2020. Councilmember Leonard-Morgan further moved, seconded by Councilmember Daly, that Council reappoint Rebecca Poston, Mary Woodruff and Lynne Kaye to Go Green for two year terms, said terms to expire May 12, 2021.*



Vote: Yes – Councilmembers Kirk, Bernard, Daly, Hazard, Leonard-Morgan, Miller and Pearson  
No – N/A  
Abstain: N/A  
Absent: N/A  
(Mayor Littleton only votes in the case of a tie.)  
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There being no further business, Mayor Littleton declared the meeting adjourned at 8:15 p.m.

APPROVED:

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Trowbridge M. Littleton, MAYOR

ATTEST:

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

## March 14, 2019 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:** We'll call the meeting to order. First item is, well, we'll change things up a little bit. Pledge of Allegiance.

**Everyone:** [Pledge of Allegiance]

**Bridge Littleton:** Now we will do the roll call.

**Chris Bernard:** Chris Bernard

**Philip Miller:** Philip Miller

**Bridge Littleton:** Bridge Littleton

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

**Cindy Pearson:** Cindy Pearson

**Kevin Daly:** John Kevin Daly

**Tina Staples:** Tina Staples

**Martin Crim:** Martin Crim, town attorney.

**Danny Davis:** Danny Davis, town administrator.

**Bridge Littleton:** All right. Next item is a public hearing related to the amendment to the historic district design guidelines regarding murals. [off mic] Hold on. Oh we can do that second. Like I said, I'm changing things a little bit. What's that?

**Catherine Murdock:** That way I could go home early.

**Bridge Littleton:** Ok, so. [off mic] So we will now open the public hearing regarding the amendment to the HDRC guidelines on murals. Would any member of the public like to speak? Please state your name and address for the record.

**Catherine Murdock:** Catherine Chittenden Murdock. Didn't know that.

**Bridge Littleton:** Oh, we knew.

**Catherine Murdock:** 609 Blue Ridge Avenue, Middleburg. I gotta read this because it matches what I gave Tina. I am here in favor of you voting to adopt the amendment to the historic district design guidelines pertaining to murals. As the HDRC had said, murals are one of the oldest methods of artistic expression. And I say look at the cave man and the art that they did in those caves. But art is so subjective, so personal, I may love one mural and not love the next one. As much as I applaud the Middleburg Arts Council and all the artists in Middleburg. I think you should

keep Middleburg, the historic town it is, and not wander into the unknown. Please vote no to murals as recommended by the HDRC. Thank you very much. Bye bye.

**Bridge Littleton:** Thank you. Any other member of the community wishing to speak during the public hearing on the mural amendment? All right. We'll close the public hearing. So, Will. This is your memo.

**Will Moore:** It is no new information to provide from the last time you reviewed, but I just a quick recap for the members of the public. The HDRC started studying the concept of murals possibility of introducing rules into the historic district in June of last year. After many months of deliberation, walking tours, reviewing adopted guidelines of other towns with historic districts that have chosen to address murals, they came to a consensus that the committee did not believe murals were appropriate for the historic district and they knowing that there was some expressed interest in murals. They thought it was important to adopt some guidelines specific to murals for our historic district design guidelines document in case there was an application that came in the future. So you have the text, the one paragraph text on page two of the attached document. In short, it's stating that murals are not appropriate for the historic district.

**Bridge Littleton:** Does anybody have any questions for Will? Will, I just have two quick questions.

**Will Moore:** Certainly.

**Bridge Littleton:** Do we have a definition of what a mural is?

**Will Moore:** There is.

**Bridge Littleton:** I mean, that we're going to put in a guideline because one person's mural might be somebody else's something else. Right.

**Will Moore:** So no. A definition was not proposed, but we could certainly reintroduce a definition at some time. I think paint color is already addressed in so lack of a definition would not prevent a mural from having to be reviewed. But I suppose that could be an issue. Might be knowing that we want to amend the entire design guidelines document probably within the next year and a half or so, maybe. And that time would be the time.

**Bridge Littleton:** OK. And the only other question I had was. So this is no mural anywhere in the historic district.

**Will Moore:** Correct.

**Bridge Littleton:** OK. Not just like in view of Main Street or the commercial district.

**Will Moore:** No, Let me rephrase. This means murals would not be appropriate anywhere that is in the purview of the historic district review committee. So that is subject to view from a public street.

**Bridge Littleton:** Understood. Yup.

**Will Moore:** So the mural that was done on the rear of the Mosby's Tavern, that was not subject to their purview. So if there were a similar situation of that somebody could do a mural if it did not fall in the HDRC's purview.

**Bridge Littleton:** Perfect, ok, totally understand. Thanks. OK. Any other questions for Will? Is there a motion?

**Cindy Pearson:** I move the council adopt. I move the council adopt an amendment to the historic district design guidelines pertaining to murals as contained in the draft recommended by the Historic District Review Committee on January 3rd, 2019.

**Bridge Littleton:** Second?

**Kevin Daly:** Second.

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

**Everyone:** Aye.

**Bridge Littleton:** All opposed, abstention. And it carries. Thanks Will.

**Will Moore:** Thank you.

**Bridge Littleton:** Now we'll go backwards in time to public comment. So would any member of the public for any reason like to address the council, please step forward and do so and state your name and you have three minutes. Anyone here for public comment. All right, we will close a public comment session and we will move on to staff reports. First up is Stuart.

**Stuart Will:** Mayor Council. Good evening. How are you?

**Bridge Littleton:** Doing well. How are you?

**Stuart Will:** Good. Any questions?

**Bridge Littleton:** Did Terry give you something really good for that bonus?

**Stuart Will:** He did.

**Bridge Littleton:** He did?

**Stuart Will:** He did.

**Bridge Littleton:** Oh, good. OK.

**Stuart Will:** He did. As well as. [inaudible]

**Bridge Littleton:** I know. I couldn't hear if he said did or didn't.

**Stuart Will:** As well as [inaudible]

**Bridge Littleton:** Yeah, it was. Yeah.

**Stuart Will:** I got at a boys from up and down the line. It's rare that you issue a boil water notice and get at a boys from people. [laughter] Usually it's the worst case scenario.

**Bridge Littleton:** Right. No, It was great. Peter.

**Peter Leonard-Morgan:** Stuart, I think I might know the answer to this, but the well pump. The situation on the Salamander well,

**Stuart Will:** Yes.

**Peter Leonard-Morgan:** Just a quick update.

**Stuart Will:** That is back online and operating nicely. The flow rate over a period of years deteriorated on that well. When I first came in here in 2014, it was 47, 48 gallons a minute. And over the last four or five years, that deteriorated somewhat. And this new well pump is back up to 50 gallons per minute. So it's actually raised our capacity at the Stonewall plant somewhat.

**Bridge Littleton:** Any other questions for Will, Stuart, I'm sorry. Great. All right, Stuart. Thanks very much.

**Stuart Will:** Thank you. Have a good evening.

**Bridge Littleton:** Next is the town clerk monthly report. Rhonda, where's Rhonda? Yeah. She texted me a picture of her swimming with dolphins about 45 minutes ago.

Does anyone. Tina, are you filling in for Rhonda or any questions or.

**Danny Davis:** I can in terms of activities over the past month.

**Bridge Littleton:** Does anybody have any questions for Will on Rhonda's report?

**Danny Davis:** Yeah. I mean, in short, you know, continue to work on the web site. That's really a big, big push. Now we meet mid next week for the initial design look on that and then we will continue working forward through that process.

**Bridge Littleton:** Anybody have any questions for Danny on Rhonda's report? All right. Moving on to business and economic development, Jamie.

**Jamie Gaucher:** Mr. Mayor. In addition to the report, I want to let the council know we are going to have our meeting with the ambassadors that are connected to the branding effort. We've identified eight or nine people here in the community and we've sent each of them a survey. And we're going to be meeting with the folks from Native Collaboration next Tuesday, the 19th. Additionally, we're going to have our first meeting of the reformed EDAC on the 26th later in the month. And on Monday, I am going to be sitting down with Will and Danny to review a short term economic development strategy, draft SWAT analysis, pieces of a either a database or an Excel spreadsheet connected to the currently vacant storefronts and empty buildings that we have in town and outside of that, be happy to answer any questions that you might have.

**Bridge Littleton:** Any questions for, Jamie? [off mic] Yes, sir.

**Peter Leonard-Morgan:** Jamie, I want you to just summarize the latest businesses that we've got because it's all, some positive news about new businesses coming into town.

**Jamie Gaucher:** We have. Four I can talk about specifically. Purple Cherry Architects is going to be moving into a space on Washington Street. They've recently signed a lease. There's a company that's moving into a space on Federal Street. They're called Southerly House. And then we also have a psychiatrist that's moving her practice to town and somebody that will be moving into sharing space where The Shaggy Ram is and that company's called Little Lambkins. They're going to be selling clothes for babies and toddlers.

**Bridge Littleton:** They're going into where that Shaggy Ram is?

**Jamie Gaucher:** They're gonna share space.

**Bridge Littleton:** Share space, got it.

**Jamie Gaucher:** In that. Yes. In that when you walk in there. [inaudible] Correct.

**Bridge Littleton:** Okay. Any other questions for Jamie? No, great. Jamie, thank you.

**Jamie Gaucher:** Thank you.

**Bridge Littleton:** All right. Next is the money lady.

**Ashley Bott:** Good evening. I did have one update to my report regarding [inaudible]. There was a slight delay, as I mentioned, with the file format. I was told today that they will have it up and running next Monday. So I should be able to test the files on Tuesday and then we should be doing the training shortly thereafter. So I am anticipating by the next billing cycle for utility that we will have that up and running and have a flyer or something to put into the bills. Any questions?

**Bridge Littleton:** Pretty cool. Exciting.

**Ashley Bott:** Yeah.

**Bridge Littleton:** Yeah

**Kevin Hazard:** Just just a quick question.

**Ashley Bott:** Sure.

**Kevin Hazard:** We've got another month of analysis and we were using prior years and prior months for our budget coming up. Did we go back. Are we? Are we putting that into the model as we get new months?

**Danny Davis:** We haven't been specifically because we took kind of the six month chunk at a time. We also know that these months typically will range lower. So to necessarily add them in, we don't want to skew it one way or another.

**Kevin Hazard:** I'm not saying change the model, just to test it.

**Danny Davis:** We continue. Yeah, we can we continue watching.

**Ashley Bott:** Yes. Yeah, yeah. We'll continue to watch it and make adjustments where we need to. I would like to add that the bank franchise tax reports are coming in. I'm only missing one and we are up 30 percent of what we budgeted. So while we were it was kind of throwing a dart last year, we weren't really sure where we were gonna land.

And so it's not as terrible as we.

**Bridge Littleton:** So when you said they're up from 30 percent.

**Ashley Bott:** From the budgeted amount.

**Bridge Littleton:** But you're still missing one.

**Ashley Bott:** We're still missing one. Yes.

**Bridge Littleton:** Oh, from the budgeted. I'm sorry.

**Ashley Bott:** Yeah.

**Bridge Littleton:** Got it. Got it. Got it. Okay.

**Danny Davis:** I would also note. Business licenses came in.

**Ashley Bott:** Oh, yes.

**Danny Davis:** Very strong this year. I believe our budget was \$350. She can correct me. And year to date, we're at \$438. So very positive is in terms of business licenses as well.

**Ashley Bott:** Yeah. I just wanted to notate the bank franchise since it wasn't on this report. So.

**Bridge Littleton:** Sure.

**Peter Leonard-Morgan:** A quick question about bank franchise. With the new another bank coming in to the. Will that change that or?

**Ashley Bott:** Are you referring to the credit union?

**Peter Leonard-Morgan:** Right.

**Ashley Bott:** Yeah,

**Peter Leonard-Morgan:** Because they got to head off somewhere else?

**Ashley Bott:** They do not pay the bank franchise tax, yes. And the license fee, the business license fee is only 50 dollars a year.

**Bridge Littleton:** I noticed a parking fine collection is down three grand.

**Ashley Bott:** Well, I would like to point out this is a draft. So some of this stuff.

**Bridge Littleton:** I'm giving AJ a hard time.

**Ashley Bott:** Don't do that on my report. [laughter]

**Bridge Littleton:** He's not carrying his weight you know.

**Ashley Bott:** There was a little bit of an increase, not the full three, but yes.

**Bridge Littleton:** I got it. Okay. Does anybody have any other questions for Ashley? Great. Do you feel comfortable that we'll be able to do hit each one of our dates for the budget process?

**Ashley Bott:** Yeah.

**Bridge Littleton:** Anything giving you concern?

**Ashley Bott:** No, I don't have any concerns at all regarding the budget process.

**Bridge Littleton:** Awesome. Thank you very much. Next, the police. In some jurisdictions are known as a profit center.

**AJ Panebianco:** Yeah. Not here though.

**Bridge Littleton:** Not here, not here. We're losing money.

**AJ Panebianco:** We do not police for profit here. So a couple updates I'd like to do. One, first I want to start off by giving an attaboy to Jason. He worked two back to back death scenes. Was super compassionate with families. One

was a son checking on a mother. So they were there. We had to break into the house. So those can be very stressful, very trying for an officer, especially a young officer. And I'm just very proud of the job he did and Danny and I recognized him for that as well. So just wanted to make sure that we recognized that in public as well. So he did a super job. Tough, tough situations, but very proud of the compassion that he showed. Lieutenant Hollins did graduate PELS. PELS is a pretty advanced school for leadership and he excelled and he's very excited. I asked him to put together some plans for implementing some of the stuff he's learned. And as soon as he gets off midnight cause he's covering for Timmy on vacation, he will be trying to implement some new ideas and at least putting some of what he learned to work. So very happy that he got that advanced training and that he's now going to try and put it to use. Aside from that, two big things we had to do, one during the Chiefs conference and then also during the legislative process, there was a bill announced, an amendment to a bill that if it were passed, it would have, in our opinion, set policing back decades. And we were able to subvert that by explaining what it actually meant to the people who put that on. But essentially, it was a bill that would allow sheriffs who were the ones who wanted it, but any law enforcement agency to self-certify their officers, which would then say we hired him, we think he's good, he can go and essentially take the governing agency, which is DCGS out of loop. We were able to get that removed. It took a lot of effort and kudos to the VACP for the fight it put on to make sure that that happened, which is the Virginia Chief's Association. And last one more upgrade on following that. Northern Virginia Chiefs and Northern Virginia Academy just spent the last two, three months trying to develop an understanding with DCGS about a ruling that they were going to make that was going to affect the force multiplier ability in our region extremely negatively. And we actually just went to Richmond two days ago and met with them, the COT. We spoke on it and we think that has been subverted as well, which will then not affect us negatively in Northern Virginia. So it's been a pretty busy couple of weeks and a couple of months, actually, but a lot of good things came out of it. If there are any questions, I'd certainly have to answer them.

**Bridge Littleton:** any questions for a AJ?

**Darlene Kirk:** Anyhow, are cars that are parking at residents are supposed to be completely off the street or a majority of them.

**AJ Panebianco:** We handle those in my case by case of somebody lets us know. If it's an obstruction to traffic, we can address it. But if it's, you know, sort of if it's parked in front of the house and it sort out the road, the consensus has always been you live there. And it's part of, you know, you wanna park in front of your house.

**Darlene Kirk:** Ok, check in on that, because it's been really tight in some places going up [inaudible]

**AJ Panebianco:** So, yeah. And we occasionally stop and say you need to move your vehicle. It's a little too far out, but it's not often. It really isn't often. We don't ticket them, we stop and knock on the door.

**Darlene Kirk:** Just teach them how to park.

**AJ Panebianco:** Oh, and one last thing, unless you're going to talk about what we all did Saturday. Friday. I'm sorry, Friday. You did it Saturday.

**Bridge Littleton:** Oh, yeah. Oh, right. I forgot all about that. Yeah.

**AJ Panebianco:** So you probably talk about it.

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

**AJ Panebianco:** Myself, the mayor and Peter were asked among, I think, some other folks to judge a speech competition for.

**Bridge Littleton:** Speech and debate.



**AJ Panebianco:** Speech and debate for children 12 to 18 years old. And it was at the Christian College in Purcellville. And it was. Yeah. I didn't really know. I think none of us really knew what to expect when we got there. And those kids were absolutely amazing. I'll tell the quick story that Peter and I had. They get 20 minutes to prepare for a debate and they each have a side they have to go with. Both teams and the one we were together with got, one of the teams got mixed up and they both prepared for the same side. During the debate you couldn't tell they were that quick on their feet. They were like, OK, we're going to go the other way. Just a super. It was a blessing to be a part of it. I really think so.

**Peter Leonard-Morgan:** I'm 56 years old and I've been adopting some of the things I learned from those 12 year olds about public speaking techniques. It's been really helpful, really. I mean, that sincerely. It is incredible.

**AJ Panebianco:** Totally. So if any of you guys get the letter next year, the e-mail that says, can you do it? You should. I wasn't sure what to expect. I'm certainly glad I did.

**Bridge Littleton:** It was pretty neat. And, yeah, I mean, what was amazing is, I mean, like the 12 year olds were incredible. Absolutely incredible. It was neat. It was so I was there on the first day and it was parliamentary debate. So two kids came in as the prime minister and a member of the government. And then two other kids were the leader of the opposition and a member of the opposition shadow cabinet. And they they would argue, argue, rebut, rebut. And it was like seven minutes, five minutes and rebut again. And they had all these rules. It was it was British style. So they can interrupt one another as they were speaking. They get bang the table. So it was pretty fun. Any other questions for AJ? [off mic] Yeah.

**Peter Leonard-Morgan:** On the subject of traffic, I really appreciate that you have cars parked to each end time and time and I know it slows people down. I have noticed quite a lot of speed that's coming through at rush hour. So if there's anything else we can do to try and stop this.

**AJ Panebianco:** Yeah, we put it out there as best we can. And we we are seen, I can tell you that we have asked and it's in the budget. Can I? Yeah, we've asked to put one of the we have the mobile speed sign. We've asked for a permanent mounted one to be included in this budget as you enter town. The idea is that it'll flash an alert and that they're speeding because are they're often just in a hurry to get home and they may not realize they're entering in to town. And we believe that that will be something that will help slow them down as well.

**Peter Leonard-Morgan:** Well, I appreciate you saying that, because I think we all know when you see those signs, you immediately, you know, even if you're going 30 in a 25, it's almost like a competition. You want to get to 25.

**AJ Panebianco:** Correct.

**Peter Leonard-Morgan:** So I think it would be a really positive.

**AJ Panebianco:** And to be honest, it was Danny's idea. Danny had asked if we could put one down there permanently since we had the one that we move around. So very happy like I say to to be able to look at it.

**Bridge Littleton:** I'm going to get old Nikon and duct tape it below it so everyone thinks they're gonna on camera.

**Philip Miller:** Are you only going to put one on one side?

**AJ Panebianco:** Yes, the other side. And we can look at putting another one up. The other side gives us a lot more room for them to slow. It's, you know.

**Philip Miller:** Or for it to be like an on ramp.

**AJ Panebianco:** Yeah. Well, as they're going out of town that's true. But as they're coming into town, we also have a lot more room to work and enforce traffic on that end as opposed to this. And there's really not a suitable place to

sit and be safe to work traffic. So this would be I won't say in lieu, but a certain amount, a good amount of subsidy to what we are capable of doing safely.

**Philip Miller:** Okay. So it's gonna give us data as to how fast [inaudible]

**AJ Panebianco:** Yeah. There is a data collection point on it and we can pull those up and look at those and see if they actually are speeding or if they're not speeding. There's a perception sometimes that they are because our roads are very narrow and they come together.

**Philip Miller:** We had more sidewalks maybe.

**Bridge Littleton:** Any other questions for AJ?

**Darlene Kirk:** Does it take licenses to or just.

**AJ Panebianco:** No, it's not an LPR. There's some issues with LPRs. I'm not a fan of them.

**Bridge Littleton:** AJ. Thank you.

**AJ Panebianco:** Thank you.

**Bridge Littleton:** Will, he's backup.

**Will Moore:** I was remiss in my duties a couple of years ago during the Route 50 traffic calming project with passing on a suggestion to AJ about how to deal with speeders. We had one business person, in all seriousness, suggested the police should deploy spike strips from the sidewalk when they see a vehicle speeding. I chose not to pass that suggestion onto AJ. Just a couple of things to highlight. One thing not in my report. We've just scheduled our first BZA meeting in quite some time. It's just an organizational meeting. It's not to hear a case, but we have to do those every once in a while. So that we'll be on. It's not an April Fool's joke, but it will be on Monday, April 1st. Just to highlight, following up from the February 14th meeting when Mr. Orlich and his his crew presented to you. The commission has scheduled a public hearing on his comprehensive plan amendment request for their March 25th meeting.

**Bridge Littleton:** Do you mind repeating that?

**Will Moore:** There will be a public hearing on Mr. Orlich's Comprehensive Plan amendment request at the Planning Commission's meeting on Monday, March 25.

**Bridge Littleton:** At?

**Will Moore:** Beginning at 7:00 p.m..

**Bridge Littleton:** See you then.

**Will Moore:** Thank you. The town administrator did send some correspondence to Mr. Orlich. I believe council was copied on that kind of following up on how the presentation was received. But Mr. Orlich is choosing to go forward. He has let us know that he's going forward. So the commission will hold their hearing. They will likely take action to forward a recommendation to you subsequent to that hearing. And finally, one big thing that's captured on the second page of my report. I did bring this to the mayor's attention, but we have finally seen some action on the potential subdivision at the corner of Route 50 and Sam Fred Road. The town would be involved in that subdivision process, even though it is outside of our corporate limits. A portion of that property falls within our subdivision control area. I did have a pre application meeting as noted here with county staff and a representative of the owner and the engineer, the project engineer. So we've gone over some of how we envision the process working because

two jurisdictions are going to have to review it. I'm expecting a follow up memo from the project engineer on his understanding of how the process is going to work based on that meeting. And then I'll have a discussion with Martin to see if he has any concerns. Again, it's a unique situation where it's split between a portion in our control area and a portion outside of it. But just a reminder to council subdivisions are ministerial acts, meaning that if the all the technical portions of the application meet the requirements set forth in the relevant ordinances and the technical requirements of the locality or localities in this case would be obligated to approve. If all of those requirements are met. That being said, happy to answer any questions you have on that or any other matters.

**Bridge Littleton:** Anybody have anything for Will? Yup, go ahead.

**Peter Leonard-Morgan:** On that subject as you drive up Sam Fred Road probably a mile. There's a lot of activity on the right. Is that the same thing is that all of that parcel? I mean it's cleared, basically.

**Will Moore:** I have not been out Sam Fred Road recently myself. So now that I have a kind of a preliminary layout plan, I am going to take a trip out to just to see where it is. [inaudible]. Correct.

**Bridge Littleton:** Whole parcel is about 650.

**Will Moore:** I do have. I did have a preliminary plan. If anyone's interested. I could e-mail that to council just so you can see what it looks like [off mic]

**Bridge Littleton:** That'd be great yeah.

**Will Moore:** Yeah, I'll do that. I'll send it out to you tomorrow.

**Kevin Hazard:** What is the current zoning on that parcel?

**Will Moore:** It is AR2. AR2. Which is pretty much everything that touches in the town and the immediate surrounding within the county is AR2.

**Bridge Littleton:** What is that? How many units per acre is AR2.

**Will Moore:** Well so. [inaudible] So they're choosing to use a clustering option available in it. But this gives them the exact yield that they could yet get out [multiple speakers] out of the total 570 acres.

**Bridge Littleton:** Right.

**Will Moore:** This is the exact yield they could get.

**Bridge Littleton:** So, anybody have anything else for Will? Yeah. I

**Philip Miller:** It's warm.

**Will Moore:** It is.

**Philip Miller:** March 14th. How are we looking at the sidewalks?

**Will Moore:** It is. I am. I have a message into A and M and I know I'm awaiting a response. So, yeah. The last time we had talked previous to this, they were thinking they would be available toward the end of March, beginning of April to get started.

**Bridge Littleton:** So if we can, let's get a go date of April 1.

**Will Moore:** We'll try.

**Bridge Littleton:** Yeah. [inaudible] Exactly. Exactly. Anything else for Will? So Will I have a quick question for you. Number one, I appreciate doing all the follow up on the [Inaudible] Cross. It would be great. I know. You got to check in with Martin. But just knowing that timeline of things, the sequence of actions. So that was one of the things when Will brought this up that I asked is like, there's the county piece, there's the us piece and a lot of it's ministerial. Just what is the sequence of events that happens, you know, and the order and some of them might have timelines. That way, at least we have an idea of if we have the opportunity to interject, we might not have the ability to stop it, but we might at least have the ability to interject. We know where those injection points are. Second question I had and of course, we're gonna have to do the work. So I met with one of the county planning commissioners earlier this week. And one of the, it was a very interesting discussion back and forth, to say the least. It's one of the very pro-growth commissioners. And well, never mind. But one of the things I asked him was, they said, you know, all this, you know, everybody keeps touting, you know, in the TPA, there has to be 50 percent open space and the rural area has to be 70 percent open space. You know or these different open space requirements, which is all fine and good, but that open spaces never restricted. So, you know, 20, 30 years down the road, a planning commission can come along and a board and open that up if they want to. Right. So they could change it. They can say, well, it's no longer gonna be 50 percent open space, it's gonna be 30 percent open space. So all of a sudden the TPA becomes the suburban area. I asked him what he thought about and we might have to move quickly on this. If council agrees. Would he be open to the idea that, hey, if you have to have, let's say, you have a thousand acres and there's a 50 percent open space requirement, that's 500 acres. Okay. Do your cluster like rules for it, right? Do your cluster. Put your stuff everywhere else. But the rest that you don't develop, that's the open space, you must put it in conservation easement, you know. So you really actually that open space stays open space and it can't be can't be nailed in the future. And I and he said, well, you know, that's interesting. We had never thought about that. I would consider that because we do have the intent for this open space to stay open space. So my question really for you and Martin and for Danny is this just happened two days ago.

He said send me some thoughts and ideas and you know what, how you think that could work. The question is, is that how could we make that work? And maybe you don't call it a conservation easement. Maybe you call it something else. I don't know. But something that restricts the ability of future planning commissions and boards to open what is supposed to be maintained as an open space to future development.

**Peter Leonard-Morgan:** So one of the questions on that probably be who pays for it, obviously.

**Bridge Littleton:** Sure. Oh, yeah. Yeah.

**Peter Leonard-Morgan:** So, I mean, would covenants cover that to a degree or is that more limited?

**Bridge Littleton:** It would probably the developer upfront would have to pay for the application. You know, so like Willowsford. I want to say their development was 50 percent open space requirement. Will, does that sound right? [Inaudible] It was in the TPA so it can't be 30, that's the suburban policy. Well, let's say a city 50% open space right there. He would factor that, I mean, I think economically he would factor that to the cost of doing the whole development and passing it on to the home buyers. And then there's the maintenance costs. But anyway, he was he was supportive of exploring it and seeing it as something they should consider and recommending it to the board. Oh, no, it's you know, it's the devil's in the details, but it may not be will be done. I don't know. But anyway. Yeah. I mean you know there might not be a there there but there might be a there there. So or it's something else. Okay. Anybody have any other questions Will? No. Will, thank you.

**Will Moore:** Thank you.

**Bridge Littleton:** Next is our town attorney.

**Martin Crim:** Thank you, Mayor. You have my report. I stand ready to answer any questions.

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

**Martin Crim:** OK.

**Bridge Littleton:** You got off light. Thank you, Martin. I feel like I missed somebodies. Nope, that's it. All right. Next we're going to is the consent agenda. All right. Rhonda is not here, so we're really in trouble. Is there anything anybody would like removed from the consent agenda? Ok, so if I remember this correctly, somebody has to make a motion to accept the consent agenda as proposed.

**Philip Miller:** I move that we accept the consent agenda as proposed.

**Kevin Daly:** Second.

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

**Everyone:** Aye.

**Bridge Littleton:** Opposed, abstentions. And it passes. Thank you. All right. Next on the list is special events, funding requests, cultural. [off mic] That was part of the consent agenda. So I'm glad everybody read the consent agenda. I'm sorry. It's approved. We're moving forward. All right, Jamie.

**Danny Davis:** Can I interrupt real just real briefly. We had updates on three items in this next section of the agenda. I sent out as an e-mail document, but it's also in iLegislate if you aren't using a iLegislate. So I just want to make sure that because events happened yesterday and also this morning that you had a chance at least to know that it's there and then we will verbally update you as well.

**Bridge Littleton:** Did everybody see it? Maybe put it this way. Did anyone not see it? Ok, great. Mr. Gaucher.

**Jamie Gaucher:** Mr. Mayor, we had a cultural and community events committee meeting last night and two specific actions were recommended to council. And the first one was a review of the application from Shakespeare in the Burg. And our committee recommended that that application be funded in the amount of seventy five hundred dollars. And the second application that we reviewed last night was a revised, amended application from the Spring Races and a representative from the Spring Races was kind enough to be here and answer questions and inform the committee and that likewise that application was recommended for funding and the amount of five thousand dollars.

**Bridge Littleton:** So on the first vote, excuse me, on the first application for Shakespeare in the Burg, does anyone have any questions for Jamie or questions in general.

**Philip Miller:** What was our funding number for them for the last two years?

**Jamie Gaucher:** Five thousand dollars. I can say they are looking to expand the program. They're connecting to potentially some elementary schools and having the actors that participate actually do a workshop for the children. And they're also implementing an awards program for the One Act plays that will be produced on Sunday I think that's after their branch. Right. So those were new pieces of of the program for them.

**Bridge Littleton:** And I'm assuming this is the answer, but all profits they have in one year they roll forward to the next year.

**Jamie Gaucher:** That's correct.

**Bridge Littleton:** OK. So in looking at their stuff from last year, they had about 2,000 dollars to roll that forward to fund the additional stuff they want to do.

**Jamie Gaucher:** They did talk about the need for a larger events space. They felt constrained given just the physical limitations of the Hill School. But you know, from a technical perspective, it is the best opportunity that's available to.

**Bridge Littleton:** Darlene or Cindy, do you guys have any input on the committee as a whole and how they felt about both of these?

**Cindy Pearson:** I was not there at the meeting. I was sick. [off mic]

**Bridge Littleton:** Okay, that's right. So does anybody have any other questions? All right. Do we officially have to approve it? Yeah. Would someone like to make a motion?

**Kevin Daly:** I move that the council approve the amounts of support to meet Shakespeare in the Burg as stated.

**Bridge Littleton:** And oh. [off mic] Now we can, did anyone have any other input cause Jamie did not go through the portion about the Spring Races. Any concerns about that? Would anybody like to make a friendly amendment?

**Kevin Daly:** Can I make my own?

**Bridge Littleton:** Yes, certainly. And

**Kevin Daly:** I would like to make a friendly amendment that we also include the Spring Races for the amount of money as requested for their support.

**Darlene Kirk:** I accept your friendly amendment.

**Bridge Littleton:** Okay, all those in favor say aye.

**Everyone:** Aye.

**Bridge Littleton:** All those opposed, abstentions. I think you have to say it.

**Kevin Hazard:** I recuse.

**Bridge Littleton:** Motion passes. OK, Jamie, thank you. All right. Next one is contract for financial advisers services. Mr. Davis.

**Danny Davis:** Thank you, Mr. Mayor. Council members, we've provided you a memo in the report. I want to briefly go over this. Also, there was a brief update that I'll cover in my quick discussion. Financial advisors provide some very valuable services to municipalities, specifically in a number of ways. We as a town have worked with Davenport for about eight to 10 years. They came on board when the financial situation was rather dire and helped the town plan for the future and make provision to come out of the recession strong and we've seen the benefits of that obviously, over the last number of years. Part of the value that we gain from a financial adviser is the ability to have an outside look, provide us the perspective of how are we doing financially? How are we doing in our planning? How are we doing as it relates to both operating funds as well as capital and debt. Where do we stand in terms of our adopted ratios or best practices and providing some relational comparisons to other jurisdictions either of our size or best practices in the accounting and municipal finance world? This came up partly because we have used Davenport specifically over the last two and four years to provide a deeper dive into our finances and give us that good positive outlook of where things stand on both the general fund and utility fund. When Davenport came about two years ago to work with the council, it was more of a brief refresh maybe is the best way to put it. It wasn't as deep of a dive. It was more of a kind of clean the numbers up from what we did previously and provide you an updated report. What we've been talking with them about is really diving in a little bit deeper into where we are. Provide us a lot of that analysis and outlook. Long range planning, as well as knowing that we are on the general

fund side looking to incur potentially some debt in a significant amount of it for a town hall project if that is to continue to proceed on track as we're hoping for. The utility funds side, knowing that we've just gone through two major projects and that we have some limitations on our debt capacity and also needing to plan appropriately so that we have the right amount of reserves and funding for future needs. So we have identified four specific deliverables that I've outlined here. The first of the deliverables actually came out of the Strategic Finance Committee and this came out of the discussion of revenues, looking at the fact that again, 50 percent of our revenues come from meals tax and TOT. How do we plan appropriately? Let's look back five to 10 years and then let's look forward potentially five years and have an economist come in and provide us that true potential outlook of where we may be. But then I think really what was the important piece from council or from the Finance Committee was what are those leading indicators that will give us an idea that we might be just about to hit a recession or a blip or something so that we know to even prepare a little more strategically at that time. So that is phase one essentially of this project. They would work with an economist that works within the Commonwealth and has done work through other jurisdictions I've been part of in the past. And they would be able to provide the service as a true economists looking back and looking forward to the future. The second and third deliverables are what I described earlier about the general fund and utility fund, really giving us that deep dive and a good financial review and overhaul that would also include recommendations on our policies for fiscal policies, reserve policies and then investment policies. And again, another discussion in the Finance Committee of how do we take our fund balance and our cash on hand and invest it the right way so that we can see the best return. And then the fourth deliverable is related to the town hall project, specifically. Putting a plan of financing together that would help us see what that looks like to most strategically approach a town hall project. Each of these deliverables are have been proposed to us in terms of not to exceed amount. And that is something that I would work very closely with them to try to keep it lower than that, not to exceed, as it were, because we want to be respectful of the dollars it takes. However, I think there is a lot of value in terms of what it brings to the town and our financial planning efforts. The additional update is at the request of the mayor to make sure that we weren't just taking their proposal as our sole review. I did reach out to another firm that does the service for municipalities really internationally, but focused on North America and they have Prince William County and some other jurisdictions nearby and asked them to provide a similar proposal, which they did provide to me late yesterday, their proposal came in, I would say significantly higher in terms of cost. Pretty much the same ideas in terms of deliverables and in terms of capabilities. The value out of Davenport as they know us, there is institutional knowledge and there's history of who we are and knowledge of our past and where we're going moving forward, as well as the fact that they were the definitely the more competitive in terms of the rate structure there. Davenport has a contract with Loudoun that we would propose that we could ride. That's acceptable and appropriate under public procurement laws. And I'd work with the town attorney on that. This is one of those decisions where I know it's a big request to ask of you and we can definitely take time to discuss. The first deliverable is one that we would like to get moving on as quickly as possible to help the Strategic Finance Committee in their work. And the discussion of the utility fund is really a fairly timely and critical one as we're preparing this, as we're going through the budget process, really. And we'll be talking with you about the rate model. So I know I've said a lot, but I want to set the stage for everybody. And then I'm happy to answer questions if you have any.

**Bridge Littleton:** Questions. Woah, the hands are jumping. Kevin.

**Kevin Hazard:** Two. One, we're saying that using surplus fiscal year 19. Have we previously we had talked previously about earmarking that for specific things. Have we is this in addition to what we've done or or how does that work?

**Danny Davis:** Sure. We began the conversation. You're absolutely right that let's start identifying needs and uses of surplus dollars for 19. And then that would also roll kind of year to year into 20 and future years where we have built in either contingency dollars or we just see surpluses because of expenditure savings or revenue increases. We have not defined that list as of yet. So it would take off the top of that. But even as we are discussing just now, the business licenses are \$85,000 or almost \$90,000 more than budgeted. And we weren't even anticipating that as we were looking at some of our other revenue or surpluses.

**Kevin Hazard:** Second question was, is this. Could they, I mean, we're spending a lot of time trying to to make our budget process more focused. Is that something they can help us with or that's outside of their expertise?

**Danny Davis:** I think they definitely would be able to give us insight into that. It doesn't fall. The process is more of how you as a council are comfortable interacting with us. Some of that may involve how we develop a budget on the backside.

**Kevin Hazard:** That's what I mean. On the development side.

**Danny Davis:** Yeah. And so as we continue developing and I think there could be some insight to say, you know, here are a few steps that might help you develop things better. Primarily the process or the lengthy part of the process gets more to discussions with council.

**Bridge Littleton:** Kevin, what I think what they'll give us is a lot more things we should be thinking about. They're not gonna tell us, I don't think they're gonna tell us, hey, you should do this, this and this, but they're going to say, hey, don't forget to consider this. Don't forget to consider this. Don't forget to consider this. [off mic]

**Philip Miller:** And hopefully they provide us with a better understanding of the economic triggers we need to be looking for in that process.

**Bridge Littleton:** Darlene.

**Darlene Kirk:** I was just going to say, you know, we've worked with Davenport for a long, long, long time and they've been really good about anything we've asked them. They've come back with whatever we needed. And if anybody wanted, maybe Ashley could mention how easy they've been to work with and how supple sort of, you know. They give us whatever we need them to do.

**Bridge Littleton:** Anybody have any other questions, yeah.

**Peter Leonard-Morgan:** I have a couple of quick questions. This total of 74,161 is that on the basis that we do it all or could we do two of them and also do we pay it all at once. Was it on a monthly basis?

**Danny Davis:** Yeah, it's it's billed in arrears, I mean, after they've conducted the work. And so they would then bill us, you know, their hours.

**Bridge Littleton:** It's a TNM with a cap.

**Danny Davis:** Yeah, right.

**Bridge Littleton:** A TNM with a cap .

**Danny Davis:** And they've always been very, you know, obviously respectful of our needs in the other jurisdictions where I've worked with them and sometimes they go above and beyond. You know, when you have that cap, they still continue to say, hey, we realize that and we're gonna keep doing what we need to.

**Peter Leonard-Morgan:** Sometimes cash flow it's, you know, spread out.

**Danny Davis:** Exactly where it's not a single check at the front. Here you go. And we expect something. It's work product based. And definitely you could choose not to do all four, but they integrate very closely. And I think there's value definitely to all four.

**Bridge Littleton:** Well, I think there's I mean there's only two of the four are one time deals. Right?

**Danny Davis:** Right.



**Bridge Littleton:** Help us understand the economic triggers. And then number two, the town hall thing. So.

**Peter Leonard-Morgan:** Right. And I think you mentioned that, you know, that's if we do that, which obviously the town hall is something we're looking at. But it's you know, it's not been confirmed yet. But that's the main reason for asking that. [inaudible]

**Philip Miller:** timeline for this project?

**Danny Davis:** So in terms of step one, they believe they can provide us a deliverable within about six weeks. And so that would allow us to get to the Strategic Finance Committee. It's probably a little much to say late April, but by early May, which I think is good. On the general fund and utility funds side I would say it will be a ongoing process, but they would be jumping in with our utilities discussions immediately specifically. I mean, they would they would begin everything immediately.

**Philip Miller:** I'm particularly interested in number four.

**Danny Davis:** I don't have a. I can look up what the timeline is.

**Bridge Littleton:** Those are our priorities. One and four.

**Danny Davis:** One and four. Absolutely. Very good. [off mic]

**Bridge Littleton:** Well, no. Any other questions? Concerns. I mean, it's a lot of money. When Danny first told me the dollar value like we got to find out. We got to benchmark this because this is a lot of money. Two of them a one shot deals. But I think no, I'm not saying it's bad, but Davenport has been great. I remember when they did their 16 report, whatever it was, that was fantastic. I mean, it was very, very informative.

**Philip Miller:** And as Danny just said, that was just an update.

**Bridge Littleton:** No, I know.

**Philip Miller:** It wasn't like a full blown. Yeah.

**Bridge Littleton:** It was the update from 14? Yeah. Okay. So is there.

**Peter Leonard-Morgan:** I move that the town council authorize the town administrator to enter into a contract with Davenport and Company based on the Loudoun County contract and the scope of services described herein at a cost not to exceed seventy four thousand one hundred sixty one dollars using surplus FY 19 funds for this contract.

**Philip Miller:** Second.

**Bridge Littleton:** Any discussion? All those in favor. Yes, sir. [off mic]

**Danny Davis:** If we do not have funding for it then we would stop the tasks or we would come back and find additional funding. But I am confident.

**Bridge Littleton:** Can we amend this and just say pay it?

**Kevin Hazard:** Yeah, because.

**Danny Davis:** Sure.

**Kevin Hazard:** We've got a deliverable in six weeks.

**Danny Davis:** And at the end of the day anything in fund balances essentially, fund balance. So we could change that just to say out of fund balance, if you'd like.

**Kevin Hazard:** Just do that.

**Bridge Littleton:** So does someone want to make an amendment to make this from fund balance?

**Kevin Hazard:** Friendly amendment just to strike the last half a sentence using surplus FY 19 funds, just just take out using surplus or take out surplus using FY 19 funds for this contract. [off mic]

**Peter Leonard-Morgan:** Granted.

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

**Everyone:** Aye.

**Bridge Littleton:** Opposed, abstentions. It carries, thank you. You know what, Chris? I just realized why you're here. So we're going to jump to you. So you don't have to wait any longer. I'm sorry.

**Chris Burns:** Thank you.

**Bridge Littleton:** So we're gonna go to item D tree removal requests from Old Ox Brewery. [inaudible] Yeah yeah. I saw Chris, come in. I'm like, oh, he must be here for something. I'm like, oh, the tree.

**Chris Burns:** The tree.

**Will Moore:** So I was like, Yeah,

**Chris Burns:** I do love your meetings by the way.

**Bridge Littleton:** You need to be drinking more. [laughter]

**Chris Burns:** Well, clearly.

**Will Moore:** Thank you to the mayor for agreeing to kind of put this on the agenda last minute. When Chris first came to the HDRC with his plans for renovating the courtyard into a bi level patio, his intention was to try to keep the existing elm tree there. After meeting with his contractor and then subsequently Streetscape Committee this morning, we're convinced that he could not proceed with the plans as they are right now and be able to save the tree. There will be too much damage to the root system. The arborist who serves on Streetscape for us, Andy advised that there was no way to really, you know, you can do root pruning sometimes to save the tree. But this tree, they also noted, was already too large for the location that it's in. And most significant to the action that you need to take is the arborist also advised that in order to preserve the tree, he would likely have to forgo doing any development in the courtyard. Just because the root system is so widespread. So the reason that you were involved here and I don't think you had to take action on something like this in quite some time is, you know, we protect our trees here in Middleburg. And as such, there is a requirement in the ordinance that when it's associated with a development, the developer is required to preserve any existing healthy tree and this tree is still healthy now. That is 18 inches in diameter or larger. And this one happens to be like 18 and a half inch. So it is just large enough to meet that threshold. So in order to get it approved for removal, council has to take action. And you'd have to make a finding that the development would be unreasonably burdened if he had to retain the tree and that or if he had to alter his plans to retain the tree. And that alteration of the plans would have to be an unreasonable hardship on him. So that's what you really asked to make a finding on. And again, based on Streetscape Committee and we brought them in. There's nothing in the ordinance that necessarily mandates or involvement. But because they had technical expertise, we wanted to talk it over with them. As I mentioned to them this morning, sometimes developers come in and it's a totally different situation. But on a large swath of land, they don't want to save anything. It's easier to knock

everything down so you don't have to work around anything. So it's important to have somebody check with developers and have some technical review. And that's what we did this morning with Streetscape. And they were all in agreement that there's there's no way to proceed with developing this courtyard for an outdoor seating area and to be able to preserve the trees. So what the what the committee was in favor of was removing the tree. The plan that you see in my first report that went out that shows the patio plan includes a tree well where the existing tree was gonna be maintained. Still going to put a tree well there, plant a new tree. He's gonna work with Streetscapes next month at their meeting to find an appropriate tree to put in there, that will grow appropriately in that space as well as the overall landscape plan.

**Bridge Littleton:** Okay. Kevin?

**Kevin Daly:** Question again. I hear you say that the arborist said that that tree is already too large for the area that it's in now. So there be some significant issues as it continues to grow if it's not removed.

**Will Moore:** Correct.

**Kevin Daly:** Okay.

**Bridge Littleton:** Darlene.

**Darlene Kirk:** I hate to take down the tree cause it's healthy and it's big. And it's beautiful and it provides a lot of shade on that street. But maybe and I don't know if this is true or not, is it? Could it have been causing some of the problems that we were having in the building initially?

**Philip Miller:** I can tell you, just from having gone down there and looked at the walkway, what the root system has done to that.

**Will Moore:** So, you know, if you look at that plan view and I kind of highlighted in green what the architect approximated is the drip line of the tree. So to give you an idea, a general rule of thumb is that the root system can often be twice as large as not just as large as that. So, you know, it could very well be causing problems with the walkway. It could have been causing some problems in the face of the brick building as well as the building next door. We've not heard any reported complaints about intrusion, but it's much closer to the Wisdom Gallery.

**Bridge Littleton:** Any other questions?

**Peter Leonard-Morgan:** What kind of tree do you envisage replacing it with, obviously, a much smaller tree, but something that will.

**Chris Burns:** We're still. [off mic] Yes, perhaps a bonsai.[laughter] We're educating ourselves right now on the trees and shrubs that are outlined specifically in the zoning ordinance. And we're planning on submitting a landscaping plan to the Streetscapes Committee a week before their next meeting, which is on April 11th. And working with them not just on the replacement tree, but also some additional landscaping for the planting areas in the courtyard. So I can't answer that question yet, but we'll make sure that it's appropriate for the space.

**Philip Miller:** Chris, when you started this project, did you did you think that you'd be researching trees?

**Chris Burns:** I thought there was a chance. But, you know, it's a new adventure every day in this business.

**Darlene Kirk:** Ok. This is a dumb question. And Chris, thank you, because you have been great to work with the council.

**Chris Burns:** Likewise.

**Darlene Kirk:** Is there any chance of getting the tree out of there, moving it to another location since it is healthy, or is it just going to have to be chopped down and turned into wood?

**Bridge Littleton:** It's too big. I mean, hey, Darlene, think about the roots system.

**Darlene Kirk:** well. I know. I'm thinking it's twice the size that's underneath all the buildings there.

**Bridge Littleton:** Yeah, you're gonna have to.

**Will Moore:** Yeah, there's a limit.

**Kevin Hazard:** Just I've had some experience with this. We had a specimen tree in Buie and it was larger than this and we moved it and we spent months planning it, the root ball was as big as this. And we had Chapel Valley. And two years later, it was dead.

**Darlene Kirk:** Yeah, that's what I was afraid.

**Kevin Hazard:** With something like that. It's just I don't care how much you do and how careful you are it's probably the odds are it's not gonna survive.

**Philip Miller:** Is there anything that can be done with the wood to make benches around town or you know, tables or something? I don't know. Just an idea.

**Bridge Littleton:** For 12 grand a bench. Absolutely.

**Will Moore:** Certainly things we can talk over with Streetscapes.

**Bridge Littleton:** What kind of tree is it?

**Will Moore:** It's an elm.

**Bridge Littleton:** It's an elm, ok.

**Will Moore:** The Streetscape has reclaimed some wood from other trees that have been taken down in town. There was a very large tree at the corner here where Lakewood Law is now. And they were much larger in size. But they they were able to work with VDOT contractor who was doing the removal and get a few sections of that which are currently drying out somewhere on the Hill School property and they're going to do something with it.

**Philip Miller:** Just a thought for Streetscapes committee to kind of wrap their head around.

**Bridge Littleton:** It's kind of a neat idea, right you can make a with the new town hall [multiple speakers]

**Philip Miller:** I don't want to put that burden on Chris, but more so Streetscape Committee to kind of maybe figure out something if they want to save that wood and use it for for something around us.

**Darlene Kirk:** Or even something that could be. I mean like I know they do the foxes is not unnecessarily on wood, but maybe next year we could. Okay. All right.

**Bridge Littleton:** Okay.

**Kevin Hazard:** But what about who you say you're researching it. Who are you using to research it? An arborist or?

**Chris Burns:** I'm going through my architect who will find the appropriate expert to.

**Kevin Hazard:** I mean, we have experts turns on Streetscape, but I'd like to maybe see somebody outside with real expertise, especially knowing that we're gonna come back with a with a patio.

**Chris Burns:** Sure. Yeah, we want to make sure we have deep roots. Not wide roots.

**Bridge Littleton:** I think when we replanted those ones, it was a black gum. Right? All the ones when they pulled up two three years ago. Two years ago? When they took trees out?

**Will Moore:** Last year. Last year. I think we put I'd have to go back and look. Well, I mean, one of them may have been black gum.

**Bridge Littleton:** I'm sure you guys will figure it out.

**Chris Burns:** We will.

**Bridge Littleton:** Any other questions. So Danny what? Yeah. Phil.

**Philip Miller:** I move that council approve the removal of the elm tree in the courtyard at 14 through 16 South Madison Street as alteration of the plans would result in unreasonable hardship on the developer. Approval is subject to installation of a replacement tree to be approved by the Streetscape Committee.

**Kevin Daly:** Second.

**Bridge Littleton:** Any further discussions? All in favor, say aye.

**All:** Aye.

**Bridge Littleton:** Opposed? Abstentions? What?

**Darlene Kirk:** [Off mic].

**Bridge Littleton:** You can't abstain. You don't have a legitimate reason for abstaining. So either have to vote for it or against it.

**Darlene Kirk:** Well I'm going to vote against it because my mom was very connected to it. The health center, she worked down there for years, probably 20 years to get it to where it is.

**Bridge Littleton:** It's all good. It's all good. Motion carries. Chris, thank you very much.

**Chris Burns:** Thank you for your time.

**Philip Miller:** Chris, I'm looking forward to sitting under the shade of that new tree.

**Chris Burns:** Yeah. Well, if anyone wants to come see progress, let me know. I'd love to give you a tour of before. [Laughter].

**Bridge Littleton:** Oh, good, good, good. Thank you. Take it away. All right. So we're going back. I know you didn't bring any samples this time. Dan wants some, too. All right. So, Item C, going back to Item C which is the request of the approval of a full time employee and authorization to recruit. So just for me to give a quick background this one

and have Danny go into it. So we talked about this a number of months ago. And so Danny and Ashley were programming the budget to start on July 1st and all that kind of stuff. And what I said was, I mean, you guys need the help now. Now, let's not wait until we get through the whole budget process to July. Because then by the time you do the recruiting, you know, it's October or whatever. And, you know, it's we need the help now. And the fact that Danny has already taken that three point whatever million and put it into the VIP fund, which we're gonna get about 90 grand off of, you know, I just I thought let's let's take it to the council right now and see if everybody's on board with just let's just get it done and be able to move forward, especially if we're going to start doing the town hall project. So that was why it's here. But from that.

**Cindy Pearson:** One question. Where are you going to put them?

**Danny Davis:** I know that has been that that has been the question. So Ashley has a big desk. And yeah, we've talked about various options. I think right now the best option would be upstairs since the person would be working most directly with Will. So yeah, I mean there is also there's definitely space up there for another seat. I know it's not ideal and it's tight, but it is bigger than any other space that we have. And so, I mean, we do always have the opportunity, as I did for a couple months, someone could come work here if they needed to get away from phone calls or things like.

**Bridge Littleton:** So Danny let me ask you a question. I mean, my God, I can't believe I'm asking this. But all that stuff up there in those paper boxes and your files that have been there for decades. You know, does anybody have any objection to getting a firm to come in and just. They come in, I mean, this stuff goes back 60, 70 years. They scan it, they digitize it. You got it. All that stuff we can either offside archive it or, you know, I don't want to get rid of anything historical, but like old zoning applications and old plans. So, yeah. [Laughter]. [Off mic]. There you go.

**Danny Davis:** I believe we have stuff squirreled around other town buildings.

**Bridge Littleton:** Well, that's. Yeah. Right. But this is a ton of papers up there in boxes. That's a great idea. So new guy, that's his first job.

**Danny Davis:** Hey, if we don't do it now when we build a new town office building, we're gonna have to do something with it anyway. Might as well get it done. Ok. So great. I've been talking with Rhonda about that.

**Bridge Littleton:** Yeah. It's like Iron Mountain will do it. They'll bring in a ton of people in and be done in two days.

**Danny Davis:** So we will we will find some companies, get some quotes see what we can do and find a way to get him digitized and get them in a way. And that would definitely open up space. We also have a lot of files, as you mentioned, down at well four things that need to be destroyed, things that need to be saved. So I we will put some proposals together and bring those back to you. There will be an expense, obviously. But again, another one of those long term investments for space and time.

**Bridge Littleton:** That would be great. OK. And I yeah, the only thing I would say is however they create those digital archive records so you can find what you need. You're probably gonna end up with thousands if not tens of thousands of individual files. I need to find that thing from 1978, blah, blah, blah.

**Danny Davis:** You know, so we and without getting too many details, the county did this extensively with all of their building and development files. The floor on the second floor was sagging. It was not good. And so they also digitize all their H.R. records four, you know, million pieces of paper or something crazy like that. So they have an extensive knowledge base of using different solutions. So we will also interact with them about options there as well.

**Bridge Littleton:** And I will honestly say this, you guys have to use the right level of judicious temperament. But if we're not required to archive it and there's not a good reason, don't even digitize it. Just get rid of it. You know, let's yeah. We've got to let go of stuff.

**Danny Davis:** To that point, what kind of staff time are we talking dedicated to going through these files? I mean, it's not just handing over stuff to Iron Mountain. It's gonna be a lot of staff time going through all this. So that needs to be accounted for. They'll be part of our development is what do we think are our timing? How does it fit with other strategic projects?

**Bridge Littleton:** And it could be exactly what this new person, they'll learn a lot. Want to learn the town real quickly. Let's look at what everything that's been done in the past. Right. Exactly. Here's a room with paper. So does anybody have any questions for Danny about the motion? Okay, anybody want to make a motion.

**Cindy Pearson:** I move that town council approve the planning project associate and the planning and zoning department. I further move that the council approved the necessary amendments to the employee handbook to include this position as a non charter position that is exempt under FLSA. I further move that staff began recruitment for this position as soon as possible and that any budget amendments needed to be brought back to council at the appropriate time.

**Peter Leonard-Morgan:** Second,

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

**All:** Aye.

**Bridge Littleton:** Opposed? Abstention? All right. Thank you, Danny.

**Danny Davis:** Thank you.

**Bridge Littleton:** All right. Next item is where are we? Real estate tax review, discussion item.

**Danny Davis:** We wanted to bring this to you briefly, just simply as an an extra opportunity to.

**Bridge Littleton:** Wait a minute. Did you say briefly?

**Danny Davis:** Yes. [Laughter] You have a public hearing scheduled for March 28th on the real property tax rate. And you are obligated essentially to make a decision that evening due to the time constraints of the county's collection process. We wanted to give one opportunity to have any further discussion prior to the public hearing in case there were any other questions that you might have about the real property tax rate specifically in preparation for the next meeting. If we don't know the answers tonight, we can bring it to the next meeting or otherwise you can hold your public hearing and then take a vote at at on the 28th.

**Bridge Littleton:** Does anybody have any questions for Danny. Yeah.

**Peter Leonard-Morgan:** Danny. I should know this. But do we know what the count what the county's tax position is going to be? Will we be the same?

**Danny Davis:** We do not know exactly, but I believe the county administrators proposal is a decrease of 4 cents. It's three or four.

**Bridge Littleton:** It was substantial as it's down. It's down from 12 to 8.

**Danny Davis:** So in general that. Yes. I'll just leave it that I don't want to make assumptions about what that means overall in terms of tax bill combined. But for for us here, because our values didn't grow, at least on the residential side, as rapidly as as other parts allow them, that may actually be a tax decrease for some.

**Peter Leonard-Morgan:** And what did they do last year. Last year we equalized it.

**Danny Davis:** Last year you did.

**Peter Leonard-Morgan:** How about the county? Do you remember?

**Danny Davis:** The county equalized or may even be maybe went a penny below? I mean, they've generally equalizing for the last number of years. A lot of that, I will say, is little bit of an apples to oranges comparison because they bring in significant value from data centers. It also means that they well, they are blessed with so much coming through data centers that they're able to fund pretty much everything that they requested, including the full school budget in this fiscal year. So this budget for them is I won't say easy but as much easier than it has,

**Bridge Littleton:** They're basically using data center revenues to continue to give tax cuts. Essentially.

**Danny Davis:** They're balancing more, whereas ours. Yes.

**Bridge Littleton:** Kevin.

**Kevin Hazard:** When we sit and vote on this on the 28th, are we gonna have a pretty good idea of what this means?

**Danny Davis:** Yes. In terms of revenues to the town and what this means in terms of general impact to the taxpayer, we won't have obviously final decisions on the budget. But this this

**Bridge Littleton:** On the revenue side, we'll know exactly what it is. We got the assessment.

**Kevin Hazard:** To make our decisions, it would be nice to have all that in table form.

**Danny Davis:** Exactly. Yes. And this revenue side, again, is just over \$500,000 relative to 3.2, 3.3 across the board. So it is still a fairly small portion compared to all revenues on the general fund side.

**Peter Leonard-Morgan:** Right. And the increase in receivable tax keeping it it's almost

**Danny Davis:** It's about \$10,000. Yes.

**Bridge Littleton:** Any other questions? OK. Danny, thank you.

**Danny Davis:** Thank you very much.

**Bridge Littleton:** On to Information Items. Strategic Initiative Review, parking. Council Member Daly.

**Kevin Daly:** Interviews, discussions with the property owners regarding the possibility of renting, leasing or purchasing additional parking spaces ongoing. I'm not going to go into details and name names unless we're in closed session. The other thing is that we are also looking at the possibilities, possibility of changing the parking time. Two hours, one hour or even a three hour time period. The other thing would beginning with the Walk Middleburg. It's a matter of perception. Parking we've also found in our survey that there's a lot of empty spaces on the flanks of the town and nobody's using them because they want to park right in front of the store they want to shop at.

**Bridge Littleton:** Or they work at.



**Kevin Daly:** Or they work at. I walk everywhere in this town. And I don't consider two miles a long walk. This is a walk able town and it should be encouraged. But we are continuing discussions for possible [inaudible].

**Bridge Littleton:** Anyone have any questions for council member Daly.

**Peter Leonard-Morgan:** Just one observation really is there are talks at the moment about an electric vehicle charging station which would somehow somewhere take two bays. probably that are currently used for parking, general parking, and then they would be gone to anyone who doesn't have electric vehicle. It's not a lot of space, but it's something maybe that we should just think about.

**Philip Miller:** Where are you considering putting those? Or where is it possible, I should say. [Multiple speakers]. [Laughter]. Yeah. Where is it possible to put them?

**Peter Leonard-Morgan:** The current thinking is probably the Liberty Street parking lot.

**Darlene Kirk:** And of course Salamander has some on each light pole up there. Yes.

**Bridge Littleton:** How would you make it for visitors only?

**Peter Leonard-Morgan:** Absolutely not. One of the ideas is that it would be great for owners of electric vehicles. And don't forget, we're not just talking Tesla. We're talking in the next year very affordable electric vehicles who live in town have got nowhere to charge them. So they're considering well I'm not gonna buy one if I can't charge it

**Philip Miller:** Or they can charge it, but not with a supercharger.

**Peter Leonard-Morgan:** Right. And also overnight, visitors generally will be not here any longer. They'll go wherever they live. And so that will be the opportunity for residents to charge their cars if they didn't have a parking space at home, or so in town. [Off mic]. Right Right. So D.C. supercharger would be a completely different thing. What we're thinking about this point is probably a level two charger, which would provide something in the order of 10 miles of range per 30 minutes, I believe. So it's as opposed as a 70, 65 miles per 30 minute or 30 minutes. I'm still learning a lot about this. Doesn't sound very elegant. I apologize to you.

**Kevin Daly:** So it also sounds like the use of the charging point will have to be monitored. So if someone's not sitting there and their car is charged up and they're still occupying the space.

**Peter Leonard-Morgan:** Very good question and one of the things that we've learned in this whole process is that the technology is there for us as a town to know. And someone will get on a wait list using their phone app and they'll go that have it for, say, three hours for us, whatever it is. And if there's someone else waiting, then they'll get a notification that someone waiting, you've got another hour or whatever it is. If they if they stay beyond their allocated time, it'll go from, say, a dollar an hour to ten dollars an hour or twenty dollars an hour. So they'll be gone.

**Bridge Littleton:** Profit center!

**Peter Leonard-Morgan:** It is fascinating. The technology is there to do it simply. Good question. Great question.

**Darlene Kirk:** I have another dumb question But is there like if they go past their time and you've got a backup can you just like cut them off?

**Bridge Littleton:** It's not that, you charge him like 50 bucks a minute. And then the phone will ping them, they'll be running real quick to move their car.

**Philip Miller:** They're Wi-Fi enabled. It lets them know on their phone.

**Peter Leonard-Morgan:** Exactly. And it will cut off. But also charge for being there. So it won't be charging anymore.

**Philip Miller:** And so you're looking at a 25 miles of range per hour charger level two.

**Peter Leonard-Morgan:** I believe that's about what a level two is. Yes. And the D.C. supercharger. I've also learned that actually shortens the length the longevity of a battery. It's a bit like fast charging your phone all the time.

**Darlene Kirk:** Have you talked to [inaudible] about what they have? I don't know what they have, but I do know that they have it.

**Peter Leonard-Morgan:** Yes, they have Tesla superchargers.

**Bridge Littleton:** Very cool. OK. Any other information items. One thing I'll say was with the event with the Loudon chamber on was it Wednesday? The longest month since then.

Yeah. And I thought was a great. Chris, you were there. Yeah. Yeah. Kevin was there. DeeDee was there. Jamie, you were there. Actually, most of guys were there. I thought a really good event. I the chamber did a great job. The questions were good questions. And we finally got around to talk about the comp plan.

**Kevin Daly:** Yeah. The only thing I found and it wasn't objectionable, but it was almost 45 minutes into the program and it was all advertisement.

**Bridge Littleton:** Yeah, it's the chamber. That's how they recognize their supporters.

**Peter Leonard-Morgan:** So, I'm glad you mentioned about this. I was planning to go, you know, yesterday and unfortunately the time of day was very inconvenient. I had a client who wanted to see me, but I've spoken to two stakeholders who have mentioned that it's just an unaffordable to average people. I believe 75 dollars. Yeah. So really a lot of people who would like to go probably couldn't afford to go. And secondly is the time of day, frankly, eight, 10:00 on a Wednesday morning as so many people are working. I wish I'd gone, but I couldn't for that reason. So I don't know. It's the chamber that organized it and not the town. And I know we're doing another event that's sort of similar, which is free. [Off mic]. Yeah, right. So just an observation from some people around town that, you know, it's really not accessible to everyone.

**Bridge Littleton:** Understand. You know, it's but all their policymakers series they charge that. So, I mean, it's all sold out. [Off mic]. No, I but I get your point. I mean, I think next year they can do in Leesburg. So they did ask us afterward if we wanted to make this a recurring thing every year because, you know, it was really well received. And we said absolutely, we'd love to. So it's first time they've done it. Anyway, any other information items? Only thing I will say too is March 21st, the planning commissions comp plan goes to the board in an informal way and then they actually vote on it on March 26th. And so March 26 starts the 90 day clock that the board has to consider, alter, amend, change, send back, throw away, burn, accept whatever the comprehensive plan. [Off mic]. Anyway, so the point here is, is that I may have mentioned this before. The Board of Supervisors are going to have two public input sessions. One is on April 24th at 6:30PM. You have to call in advance to be able to speak. All of you as elected officials would be able to get four minutes. The rest of public gets two. That's the 24th and then that's Saturday, which I think is the 27th. Yeah. Yeah. They're gonna they're going to start at about 9:00 in the morning and just go until. Well it's you know, I mean there's gonna be a ton of people, you know, providing comment. So Colt is going to go all like we did last time, all seven mayors are going to go in a row on the night of the 24th. So if you feel so inclined and want to help, let me know.

**Kevin Hazard:** March?

**Bridge Littleton:** April. You gotta call and sign up in advance or not accepting sign up until April 3rd. But there's a number on the website at the county government. You call up and you sign up and it's first come first on the on the list.

**Peter Leonard-Morgan:** I did that last time. I got two minutes. I only got two minutes.

**Bridge Littleton:** You need to tell them when you sign up that you're an elected official and that means you represent. They allow people who represent large organizations to have four minutes. So like the person who's the chairman of the Loudon County Chamber of Commerce, he got four minutes. The head of PEC got four minutes.

**Philip Miller:** Peter, it's just a testament to your brevity. [Laughter].

**Bridge Littleton:** And with that, is it okay? We will now go into closed session. Hold on one sec.

**Danny Davis:** About closed session. Can I just request that you add Mr. Crim on to the list of people who can attend?

**Bridge Littleton:** Well, was he on the memo. Okay. Yeah. We'll take a quick 5 minute biology break and then come back at 7:30. We'll go back into session. All right. Does anybody want to read the motion for the closed session.

**Philip Miller:** I move the council go into closed session is allowed under the Virginia Freedom of Information Act, section 2.2, 3711A 3 and 1 for the discussion or consideration of the acquisition of property or the disposition of publicly held property where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body. And for the discussion consideration for interviews of prospective candidates for employment assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees and employees of the public body. I further move that these matters be limited to one the acquisition of property for a town administration building two the disposition of a town right of way and three, an appointment to go green. I further move that in addition to the council, the following the individuals be present during the closed session. Danny Davis, Will Moore, Jamie Gaucher and Martin Crim for the first two items, and Danny Davis only for the third item. I further move that the council thereafter reconvene in open session for action as appropriate.

**Darlene Kirk:** Second.

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

**All:** Aye.

**Bridge Littleton:** Opposed? Abstentions? And we're in closed session. All right, I ask council certified to the best of each members knowledge only public business matters lawfully exempt from open meeting requirements under the Virginia Freedom of Information Act and two 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. I would like to remind those present for the closed session that a discussion that occurred within it should be treated as confidential.

**Chris Bernard:** Yes.

**Kevin Hazard:** Yes.

**Philip Miller:** Yes.

**Bridge Littleton:** Yes.

**Darlene Kirk:** Yes.

**Peter Leonard-Morgan:** Yes.

**Cindy Pearson:** Yes.

**Kevin Daly:** Yes.

**Bridge Littleton:** I would like to request staff move as directed as discussed in the closed session regarding the appraisal of the mentioned property. Was there anything else we needed? Oh, yes. Someone's got a motion for. Yes, sir.

**Peter Leonard-Morgan:** I move that council, appoint Katrina Ryan to go green to fill an unexpired term set term to expire May 12, 2020. I further move that council reappoint Rebecca Poston. Mary Woodruff. and Lynn Kaye to Go Green for two year terms. Set terms to expire May 12th, 2021.

**Kevin Daly:** Second

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

**All:** Aye.

**Bridge Littleton:** Any nos? Any abstentions? Motion passes. Meeting adjourned.