



MIDDLEBURG TOWN COUNCIL
Special Meeting Minutes
Tuesday, April 30, 2019



PENDING APPROVAL

PRESENT: Mayor Trowbridge M. Littleton
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
Rhonda S. North, MMC, Town Clerk
Jamie Gaucher, Business & Economic Development Director

ABSENT: Vice Mayor Darlene Kirk

The Town Council of the Town of Middleburg, Virginia held a special meeting, beginning at 6:30 p.m. on Tuesday, April 30, 2019 in the Town Hall Council Chambers, located at 10 W. Marshall Street, to discuss the Town's branding project.

Town Branding Project & Amendments to Town Code Chapter 20 – Purchasing

Town Administrator Davis reminded Council that the Town reached a mutual agreement to terminate the contract with the existing contractor and advised that they needed to identify the next step in the branding project. He suggested the need to clearly identify what the Council was looking for, how they wanted to achieve it and the process for doing so, which should be as comprehensive and expeditious as possible. Mr. Davis noted that he provided two options for hiring a new consultant for the Council's consideration – the first of which was through the traditional Request For Proposals (RFP) route, which would be time consuming, and the second of which was to handle it as a small purchase. He explained that the second option would require the Council to give him the authority to interview a small number of consultants and to hire one. Mr. Davis advised that if this was acceptable, he would work with Councilmember Miller to do so. He noted that this option would require an amendment to the Town's Purchasing Ordinance. Mr. Davis advised that the process was at the Council's discretion; however, he reminded them that there were several projects that were waiting on the new branding logo, including the new website and the marketing that has been put on hold.

The Council inquired as to the cost estimate for hiring a new vendor. Town Administrator Davis reminded Council that this would involve the design of the logo/tag line and development of an action plan/messaging/style guide; however, he did not anticipate the cost to be more than \$40,000.

Mayor Littleton reminded Council of the need to amend the purchasing ordinance as it currently required an RFP be issued for anything over \$15,000. He explained that, as proposed, the ordinance would still require an RFP to be issued for anything over \$15,000; however, the Council would have the option to suspend the requirement on a case-by-case basis.

Town Administrator Davis reminded Council that, due to its size, the Town was not required to have a purchasing ordinance. He advised that the ordinance essentially mirrored the State Code; however, it had not been amended over the years to keep up with the State Code changes. Mr. Davis explained that the proposed ordinance would allow the Council to waive the RFP requirement on a case-by-case basis.

The Council held considerable discussion regarding the process it would like to utilize to select the next branding consultant. They agreed to adopt the ordinance amendment and to allow the staff to identify three or four potential vendors, to rank them and to present them to the Council, with an explanation of why they were ranked as they were, so they could make a selection. It was noted that the contract with that vendor needed to clearly identify the deliverables and how their acceptance would be determined.

Councilmember Miller suggested the members of Council gather their expectations regarding their level of involvement in the design process. He acknowledged that the Council would ultimately approve the brand; however, he recommended the project not get bogged down by constant feedback. Mr. Miller opined that the issue during the last exercise was that the Council did not speak with one voice.

Councilmember Leonard-Morgan moved, seconded by Councilmember Daly, that Council adopt the Ordinance amending Chapter 20 of the Middleburg Code, "Purchasing," as shown in the attachment titled AN ORDINANCE TO AMEND TOWN CODE BY ADDING SECTION 20-16 TO ALLOW FOR INDIVIDUAL EXCEPTIONS TO THE PROCUREMENT CHAPTER OF TOWN CODE, and direct staff to develop comprehensive amendments to Chapter 20 for future consideration by the Council.

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

Councilmember Leonard-Morgan moved, seconded by Councilmember Miller, that Council authorize the Town Administrator to solicit informal proposals for branding based on the scope of work presented by the Town Administrator at tonight's meeting, to negotiate with firms submitting informal proposals, and to bring to the Council a proposed contract to perform the services in the scope of work in an amount not to exceed \$40,000.

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

There being no further business, Mayor Littleton declared the meeting adjourned at 7:11 p.m.

APPROVED:

Trowbridge M. Littleton, MAYOR

ATTEST:

Rhonda S. North, MMC, Town Clerk

April 30, 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)

Bridge Littleton: Ok. We will call the special meeting to order. We're not doing a Pledge of Allegiance are we? Okay good. All right. Discussion items town branding projects. Next steps. [off mic]. Oh yeah we gotta do roll call sorry.

Chris Bernard: Chris Bernard.

Kevin Hazard: Kevin Hazard.

Philip Miller: Philip Miller.

Bridge Littleton: Bridge Littleton.

Peter Leonard-Morgan: Peter Leonard-Morgan.

Cindy Pearson: Cindy Pearson.

Kevin Daly: John Kevin Daly

Rhonda North: Rhonda North Town Clerk

Danny Davis: Danny Davis town administrator.

Bridge Littleton: You know roll call wasn't on the agenda. So that's why. that's a slip, that's a slip. Okay. Update on the town branding project.

Danny Davis: Blame it on me. I did the agenda so.

Bridge Littleton: What's that?

Danny Davis: I did the agenda. So you can, don't blame the Town Clerk.

Bridge Littleton: Errors go up.

Danny Davis: Absolutely. I always take it.

Bridge Littleton: All right.

Danny Davis: So as council is aware from the discussion on Thursday evening we have come to a mutual agreement to terminate our contract with our existing contractor for the branding project. So the discussion now is the next steps forward and taking the best pathway forward in the agenda packet. We provided you a little bit of background material. We can discuss that at your pleasure. I won't go over all of that but just to say we want to make sure we clearly define what we're looking for, what the next steps to achieve are and then also really to talk about process because we want to make sure that we can try to accomplish this as comprehensively and expeditiously as possible. And so we laid out two options for the

council's consideration. And one of those would be the traditional RFP process. That would be not a negative thing it would just be likely a more time consuming process. One where we would submit or prepare an RFP document requesting proposals it would take time for folks to reply to the formal RFP process put that together, we'd put evaluation team together and then bring that back to council for approval. So there are steps in there built into that process. Alternatively there is a way where we could approach this under as a small purchase essentially and that is where it gives would give me authority from council to go out and essentially interview and select and reach out to potential designers and hire them under a small purchase type policy without having go through the same type of full review, full bringing it back to council. I would work obviously closely with whoever council would wish me to in this case it's been Council Member Miller and I would intend that we'd continue working together through that. But it is one option that based on the likely cost of this project to complete it out would need an amendment to our current purchasing ordinance and purchasing code and that was laid out a little bit in this item also in the secondary item on the agenda. I will say that I do think that would be a quicker and more streamlined process, allow us to be able to potentially get some designers that may not respond to a formal RFP can be daunting and overwhelming when you look at some of the either requirements or the details that are maybe expected out of you when you're trying to submit in that way. But the choice of going between these options is really at Council's discretion. I did lay out a general timeline of how we see this potentially playing out. This is a best case best hope scenario but we also know that we want to continue moving this forward because we have a lot of potential projects hanging in the balance and waiting on this not the least of which I mean the website is very important. We also have a lot of we have talked for many months. I know you have talked even longer than I've been here about marketing collateral and being able to truly help support our businesses by promoting our town as a destination for visitors, day trippers, overnight stays and we want to be able to continue moving forward in that way. So I'm going to pause right now see if I've forgotten to cover something important and if I have I'll cover that if not we'll be happy to answer any questions.

Bridge Littleton: Anybody have any initial questions for Danny? Mr. Hazard.

Kevin Hazard: We're talking about amending the charter I guess or just there are rules for for purchasing. What's the amount we're talking about here?

Danny Davis: So the, for this particular project or overall?

Kevin Hazard: For this particular project.

Danny Davis: This particular project we don't anticipate this design piece of it. Our original budget was \$65,000. We've expended just over \$25000, \$26000 already to date. So we don't anticipate this next phase being more than forty thousand dollars. So essentially keeping it within the confines of the original budgeted amount. And again there are multiple parts that were anticipated in the second and third phases of the branding contract. It wasn't just design a logo for forty thousand dollars. It was design a logo was maybe 12 or so thousand dollars and there was action plan, messaging, style guide, marketing collateral ideas, alternative uses. All of those play and together into more than just design me a logo and tagline.

Kevin Hazard: Is there a is there a middle ground on this rather than going to contract. Just going out and identifying firms. In other words not go contract. If the concern is they won't come to a formal RFP, but I'd rather not change that but I would not. Well I would not be against you going out and identifying firms and bringing them back and then we could figure out whether it's a good fit or not.

Bridge Littleton: I think that real quickly. I think that they're related but so there's a branding piece of this. The thing I was most I want to make sure we do right is the amendment of the ordinance for purchasing. And Danny, correct me if I'm wrong, the way you guys have structured this is that. So right now, our purchasing authority or our purchasing guidelines say we have to do an RFP for anything fifteen thousand dollars or more. What I think you guys are trying to propose there that we want to use for, maybe want to

use for this but it's changing the whole rules is that, it's still fifteen thousand but if we want to by majority vote of the council, suspend the RFP process and go direct to contract for certain types of things up to hundred thousand dollars or professional services up to eighty thousand dollars then we can do that. Am I capturing that right?

Danny Davis: Yes. If the vote is taken specific by council, specifically for a project outlining which procurement method would be used.

Bridge Littleton: No, no I understood.

Danny Davis: But absolutely it would be by project only.

Bridge Littleton: Right.

Danny Davis: So this gives you the ability to have that flexibility.

Bridge Littleton: So but. OK. So the normal fifteen thousand dollar rule stays in place unless a specific project comes along we feel we know we want to get it done quickly or just as it makes sense because only one person could do it any way we want it. We can suspend the RFP requirement but we have to do it by a vote each and every time.

Danny Davis: That's the proposal and part of the reason why is because as a as a small town under 3500 in population technically we don't have to have a procurement ordinance and we don't have to abide by let's say 90 percent of the state code for purchasing. There are certain sections we do have to abide by but none of them limited in this way. The town has proactively and just by choice decided to have, to mirror of state code in most areas. But the code has not kept up also with changes in state code. And so some of these thresholds that may have been in effect in 1983 have been raised from fifteen thousand to other amounts in that time period. Technically even the limitations of one hundred thousand and eighty thousand as I laid out in the audience wouldn't even apply to a town of our size because there is no limitation we could just go contract with anybody we want to at anytime of the day if our current town code were not in place. We're not suggesting that right now we think it's good to still have limitations and a general idea of not wanting just to say go contract for someone for two million dollars. Right. But this ordinance being discussed is to say at a majority vote of council we can waive that fifteen thousand dollar limitation as you said.

Bridge Littleton: But only on a case by case basis.

Danny Davis: Case by case basis. Correct. It would not be blanket authority.

Cindy Pearson: I just want to comment on that that's I think a very wise thing because if you look back at history the town had gotten in trouble before for allowing too much freedom. And I think by the case by case is the only way to go.

Kevin Daly: A lot of time effort and money has already been spent on this branding and we had a contract that we procured with the old, with the current RFP format. RFP format, it's no guarantee of performance. I really strongly recommend that we go with the abbreviated course of action number 2. Streamline it and as well as an amendment make it a case by case basis, but there should be a contract. so that they have to be held accountable for their deliverables and if they fail to deliver then no money is going to pass hands. But it's to me it's a waste of time to go out [inaudible] and pull people bring them in have another meeting say we're not quite good fit or I don't like the cut of his tie or whatever. I really think we ought to let, give the staff the freedom with the course of action number two based on our go ahead and that we have oversight with one of our own members. Mr. Miller being on board that we have a course of action too.

Chris Bernard: So I agree. I think we should go with course number two. My question is budget related. So we budget \$65,000 for this. We've spent what was it \$25,000ish?

Danny Davis: \$26,000ish.

Chris Bernard: \$26,000. So do we need to consider any potential exposure we have from the termination of the last agreement in that budget figure. So so we're allowing for \$40,000, but then if something back there pushes us over, I'm just wondering if that's a [inaudible]

Danny Davis: Yeah. It's an unknown I would say right now.

Bridge Littleton: What's the likelihood?

Danny Davis: I'm not sure I can answer that.

Bridge Littleton: You can't answer it in public or you don't know?

Danny Davis: I'm not sure, yeah, I think a little bit of both. I'm not sure. [laughter] I will say I've not heard back from the prior contractor. [off mic] Right. I do think the I mean as you know the amount and this was laid out for council the amount of that outstanding invoice was and I think I can say this, was just shy of ten thousand dollars so. [off mic] Right. I think if if we get to that point I would say we can find a way. Yeah. I don't think we need to necessarily reserve that back and I would hate to limit our potential. Maybe I should put it that way on this next step. because of that piece. I understand the question though.

Philip Miller: Danny would you say our position is strong?

Danny Davis: I believe our position is quite strong.

Kevin Daly: But I was referring back to under a contract. They failed to deliver. This was under contract. Failure to deliver it then there's no money is gonna pass hands or should not pass hands.

Danny Davis: We'll continue with that absolute position. Yep.

Bridge Littleton: From the direction we had on Thursday night I did the next morning sign that and we sent it over to them.

Danny Davis: Right.

Peter Leonard-Morgan: Okay. So what are the lessons we learned from the issue with the last? I think we need to try and work that one out as well, make sure we don't [multiple speakers] again. I'm not saying we made any mistakes necessarily, but we need to look at that.

Danny Davis: Absolutely. I think that's where in not only in reaching out and working with potential proposers, but then also as we finalize, and I think council member Daly mentioned this, as we finalized contract language having the clear deliverables and there that say this is what is expected and this is how acceptance of a deliverable will be determined by the town by the council so that we can have clarity in those benchmarks and steps in the process and also payment processing.

Cindy Pearson: Do you think we as council... I'm not sure how to say this. When we first started I don't think we were clear on what to expect. At a certain point you know what was going to come back from us for us and what we want. Do you think we're clear enough on that now to make that work for the contract? You understand what I'm trying to say.

Danny Davis: Right. I do and I think that's where the branding work session that we had in January was really helpful in giving guidance. Yeah, with Amy Marasco and having the input in the guidance. I do think that's where the ambassador's group you know we met once with them and I thought it was I really appreciated the group's diversity and variety of input and perspectives and I think that group will be very helpful in allowing us to bring back things to council that maybe two or three very different options, but very in either or more of them could be successful. I think that's the goal and then allow council to really take that next jump forward. Will it be perfect? You know I'm going to be yes/no it's not because anytime you do design by committee it is not ideal and we all know that. But at the end of the day that's why you are the elected officials as well to make that final determination we would intend to come back with a very strong recommendation of a pathway forward and hope that that meets the majority of all of our goals together.

Cindy Pearson: Who's on that committee?

Danny Davis: I can run through the list. It's Council Member Miller. So Chris Burns and Mary Ann Burns from Old Ox Brewery, Prem, Beth Erickson from Visit Loudon, Michael Goodfellow. Lindsay Watts, Ben Wegdam, Jenn Pineau from Nature Composed.

Cindy Pearson: [Inaudible] artist.

Danny Davis: I don't know their exact. I don't know if any of them were artist per say.

Philip Miller: There's quite a bit of creativity in a few of their career path, yeah.

Danny Davis: And that was a variety of business owners in town, business owners broader than town residents in town, those involved in the hospitality industry. I thought was a good broad spectrum of the creativity, reaching those different clienteles, the audiences that we talked about at the work session meeting, and hospitality experience and those who have an eye for again maybe not being specifically a designer themselves, but who have that integrated into their experience.

Philip Miller: Right. And as a result they were able to provide really poignant feedback. And they also raged that it was a very comprehensive mix of ages too, so that was very helpful.

Kevin Hazard: I've got a really bad feeling about this. We've just come out of a pretty bad experience. And I know we've gotten some material from it, but now we're talking about okay we've spent a lot of time on this. Now we've got two weeks to get this done, and I just there's no way I can be. I think we need you know square one and throughout the whole process stay involved as as a council in the whole process. Picking a new person and looking at the contract. I know it's more time consuming, but we just went through this with the branding, we went through it with the website and both of them were kind of fast tracked, and I think we just take a deep breath. And if it takes a month longer or two months longer that's okay.

Bridge Littleton: But just real quickly this schedule on here is 18 weeks. Four to six weeks for the selection of a team. Just the selection alone we are allotting six weeks. First review of design options four weeks. Meeting with ambassador team four weeks. Presentation to council two weeks after that file an endorsement by council two weeks after that. That's 18 weeks.

Kevin Hazard: But we're going to pick a new team.

Bridge Littleton: In two to six weeks. That's a month and a half. [Multiple speakers] two weeks.

Kevin Hazard: I couldn't make this thing open, sorry, but I think we as a council need to stay more involved in this. There's a broad range of experience here, and I think as a group we can do a better job than turning this over and having it as a fait accompli that this is the way we want to go. I don't want to have a design to say, and I trust Danny and I trust Phillip, but I think I'd like to see them come back with three or four and if we have to go to you know to a session to vet them I think we ought to do it. And I understand if people don't agree with me on this, but it just again it's just it doesn't feel right. You know we got to go quick now. We got to go quick. We spent a lot of time on this, spend time and get it right.

Danny Davis: Just quickly to say it fully council's choice and in discretion we could integrate a council review into option two if that's what council chooses to do. You know again, doesn't require going through the RFP process to have that.

Bridge Littleton: [Off mic].

Danny Davis: Correct.

Philip Miller: What would we be reviewing as a council? That is up to you, but if in Council Member Hazard's suggestion would be that we go reach out to potential designers, have them give us proposals not on maybe the scale that an RFP would have them give us the proposals, potential directions, and bring that back to council for review and an endorsement of a contractor.

Kevin Hazard: And why you think that they are the right person. We like these three because of these reasons.

Philip Miller: Do you want to review them on qualifications and past work? I'm just trying to understand [multiple speakers].

Bridge Littleton: Let me throw out a recommendation here real quickly. We shouldn't be making the sausage, right? We should have smart people who have experience in understanding this stuff help us make the sausage and come make a recommendation to us, but we still look at all of them. Here's a great example. The CEO and the Board of Directors of Boeing do not choose the engine for the planes. They have really smart engineers to go out and look at all the options and choose the best one. So I know I don't trust myself to have the breadth of experience to understand who the right person would be to do this. I am not a creative design kind of person. Now can I identify a fleabag fly by night two person flimflam company versus somebody who's got 25 people and years of experience and all that kind of stuff, sure, but that you know beyond that I just you know I would want someone to help me recognize what the right things are to be looking for and not be looking for I mean because I don't know. I don't want to put myself in the position of choosing something on what I don't have experience. Yeah.

Peter Leonard-Morgan: My question, Danny, is what's the process to find the right half dozen or four potential candidates? How would you go about that do you think?

Danny Davis: A variety of ways. Some of that is reaching out to others in Loudoun County who have been through this recently whether it's county organizations, other public entities who have gone through a type of branding process. Reaching out to those that have done some branding recently that we think the work is potentially applicable to where we are. Some of it's based on prior experience of myself, Council Member Miller, others who have worked with high quality good design firms. Which is again the benefit of this kind of process being able to go after and proactively reach out to those who have demonstrated that success in the past. Some of it would just be trying to reach their networks to say this is what we're looking for. Beth Erickson's to be a great example. You know you know this industry, you know our world, who have you worked with that has been successful for you in the past? Or surely in your world of destination marketing organizations you know you know one, two, or ten people who would have some. We've identified some.

Bridge Littleton: Networking.

Danny Davis: We've identified some who we have a short list already of you know eight to 10 that may be worth reaching out to, but I think there are some others too that we can continue that process.

Bridge Littleton: Okay let me ask Kevin a question. Kevin would it make you feel more comfortable because I think there's the right middle ground and I don't know who these people are to help us figure out. You know if we reach out to 10 people you know there's got to be someone who can get it down to three or four. And then they come in and make a recommendation to us and we have you know they could all say hey look here's the order that we put them and maybe put them in order, right? One, two, three, four, and we look at those three or four or whatever and we say look that number one yeah I'm glad Phillip you like them, but as a group here we just don't feel that they've got the chops. They're out, but we do like number two so that's who we're going with. But at least it helps us get a experienced set of eyes on the options that we are going to look at. Would that work?

Kevin Hazard: I think if we'd have seen examples of our last groups work before they came in after they'd done their analysis I think we'd have been better off so if we could see examples of the work as a group. You know so these are the great people. I mean because the the group that we had came recommended and pretty highly recommended and and they had a piece of it but not the whole thing. See examples of their working and you think I know what you're saying and we're not maybe the most artistic group but I think between this you know we'd look at it from all different aspects and and boom come up with a better decision.

Chris Bernard: So I mean here's maybe my two cents of recommendation. So what if Danny and Philip and whoever else is involved in that go find three groups. They have a design. I'm sure they have a design portfolio already. They show the design portfolio. We talk to them for 10-15 minutes whatever that is, find someone who we think is a good fit and we pick one and we keep that short. They find someone before I mean we only have a week and a half until the next council meeting. How quickly can you guys find three people that you like?

Cindy Pearson: And with the committee's recommendation because you all will be you know looking through it more than we will. And I like the one two three thing. You know you all suggest that this is the best one and why.

Bridge Littleton: I would be much more. I would have a lot more confidence in the people that we're going to choose from if the ambassador is taking a look at whoever the three or four are that you and these guys all say hey look we've done this we've selected firms that do this stuff you know we know the right ones versus the wrong ones. And you as a group make a recommendation. I mean or what are you proposing. That it's just you and Danny pick three.

Philip Miller: Yes. Cut and dry.

Bridge Littleton: OK.

Philip Miller: We understand the problems we understand the pitfalls that we've run through before. We have heard ad nauseum I think right at this point. Everybody's feedback about what we're looking for. I don't think anybody's more qualified than the two of us at this point. And certainly if it's going to come down to this body making a vote as to who we we pick. I mean we've been through the RFP process already and used a committee and that's where we ended up with the people we did. I think that at this point we have so much more clarity on what our desired outcome is that we would be better served not just looking at examples of prior work but also having a conversation and understanding the level that the groups interested understand what we are trying to get at. And I think that. [Off mic]. No you cannot, no.

And you have to also have a certain level of having gone through this before experience in knowing what to look for like you said Bridge. It's not necessarily. Like we could go out and find you 10 firms tonight that have done municipal branding. Does that mean they're going to do it right, do it justice, knock it out of the park? More than likely they're not actually going to. It's going to come off corporate and bland and it's going to fall short. You know now that's not to say that that be the case for every firm that does that. But I think that we're looking for something deeper something richer and we've already identified a fairly good list I think strong strong design teams. And then you know it also comes down to who's willing to do it what their proposed timeline and costs are you know what their workload is. So it's going to take a conversation it's going to take us a couple of weeks to pull something together. But I think at this point where we are fewer cooks in the kitchen is better to get what we really are after and then we come to you guys with something and say here's what we're thinking here's what we're thinking for the process forward after we pick someone. Let's talk about these but this is our preferred. This is our number two or whatever. That that's the way I see it.

Kevin Daly: I concur. That's still meeting the spirit of what we're asking is after you've done your research and you've come up with some selection you're still coming back to the entire council for our nod of approval.

Bridge Littleton: [Off mic]. At the end of the day. We'll get the thumbs up or thumbs down.

Philip Miller: Well with more flexibility in the terms to which you know or the reasons why you pick a firm.

Bridge Littleton: Peter.

Peter Leonard-Morgan: Yes I'm I'm happy with that because I think we have all got a bit more experience now from what we've been through before and I was originally very much how Kevin Hazard feels you know that we shouldn't rush it. We should go through the whole process and Rome wasn't built in a day. I think if we have these controls and also you're a bit unshackled as well both of those might really result in something.

Philip Miller: Yeah we'll say that the last RFP process was cumbersome.

Cindy Pearson: Well we're at a different time now and under new leadership and that'll be helpful.

Philip Miller: Sorry. Just if you don't mind. In the spirit of what's been said tonight, could we put something together so that we gather everyone's expectations for what level of involvement they would like to have so we can put a plan together for the process forward. So everybody's expectations are met as to how much council you know has an update, sees things, as input sessions, whatever.

Danny Davis: For the entire process.

Philip Miller: Yeah I think so. But I think also you know Council is going to have the the end vote. We also don't want to. We don't wanna kill the project by bogging it down with constant feedback. We need it to have something. A pitfall that we noticed in the last process was that we did not speak with one voice. And so sometimes I think that we all need to have our opinions, submit our opinions and then those need to be collected and put together as one view. I think that that would provide much better feedback that is actionable for the next group.

Peter Leonard-Morgan: On that subject I think that we also need to try and temper our emotions at any stage when we are seeing anything. Be really objective. Because there was a little bit of overreaction I think last time.

Bridge Littleton: OK. So everybody comfortable with that?

Peter Leonard-Morgan: Something ringing?

Bridge Littleton: Oh. It's my phone. [Laughter]. I put it in the drawer so I wouldn't be tempted by it. Whoops. OK. So. All right. [Multiple speakers]. There was one thing I was going to ask. Kevin, yeah.

Kevin Hazard: So does this mean that we are going to give staff the ability right now to go to contract. Or are we going to wait and look at at a couple and then go to contract.

Bridge Littleton: I think we're saying is no no no they can't go to contract. No I think what we're saying is Philip and Danny are gonna go out and try to find three or four people who would really fit the bill. They'll do the legwork to understand who they are, what they deliver, their background all that kind of stuff. They will then bring those people to us and we will make a final in whatever format we got to figure that out right. What are you going to show, do they come in and do a little song and dance or do you just present who they are. I think we would like you to rank them one through four. Right. I think everybody agrees with that. And then we'll choose which one we think is the right one. And then that will be the group we then go out and do the contract with. Separate from that though is we do need to update the procurement guidelines to allow us to do this process without a formal RFP. So we're changing our procurement guidelines. But again just on a case by case basis yes. Two separate motions.

Kevin Hazard: If they're just coming back to us, are we really changing procurement?

Bridge Littleton: No because it's gonna be more than 15 thousand dollars. So our procurement process right now requires a full blown RFP with 30 days to respond, full written proposals, all that kind of stuff. We're just trying to get this to. And quite honestly. I mean I know this is what sparked the the need to revisit our procurement stuff but I think it's actually the right thing to do anyway. We do need to be able to in certain circumstances not have to go out for this vastly long really expensive cumbersome process again only on a case by case basis when we all agree.

Danny Davis: And in fact we we plan to bring back some more comprehensive suggested amendments to this chapter of the town code down the line because I think there are a number of things that we could improve upon to help us efficiently manage operations. But this is kind of a quick step to give us that flexibility right now. So if that's the general direction Council's good with and it sounds like you are I would suggest you make the motion for the second item first related to the ordinance the procurement ordinance to go ahead and get that accomplished before making the motion related to the branding process.

Bridge Littleton: Okay. All right.

Peter Leonard-Morgan: Motion.

Bridge Littleton: So real quickly before we do that. One thing I'm going to say is and Kevin is a former. I don't know if you're former or not. Defense contractor. Are you a current defense contractor? I can't remember.

Kevin Daly: I am retired from that. All I can say is always say "best value". Don't go for the lowest bidder. I was jumping out of airplanes with a parachute from the lowest bidder and it doesn't give me a large amount of confidence.

Bridge Littleton: So yeah. Exactly. So I was going to say in the A&D world it's called Milestone 5. A Milestone Gate process called Lessons Learned. So I will be sending you the checklist of how to do a Lessons Learned on this whole process. Right and it's not pointing fingers at anybody. Just from start to finish what do we learn of how to you know do these more effectively in the future to not have you know you you're always going to have issues you can't gear for but I think it's a really good opportunity to figure

out the lessons learned. I think we should do that before we come back with all of our recommendations for the procurement manual update. We might learn things of how we did this last one by going through and asking the questions that we might want to then update in our procurement stuff

Philip Miller: And what we learned in the website RFP.

Bridge Littleton: Yeah exactly.

Philip Miller: Because we had to do that twice.

Bridge Littleton: All of it. Oh, from the first one. That's right. Yep yep yep. Hey Danny you now get to do two lessons learned.

Danny Davis: I'm up for it.

Bridge Littleton: Okay. Mr. Motion.

Peter Leonard-Morgan: Okay. Movement. I move that Town Council adopt the ordinance amending chapter 20 of the Middleburg code purchasing as shown in the attachment titled an ordinance to amend town code by adding section 20-16 to allow for individual exceptions to the procurement chapter of town code and direct staff to develop comprehensive amendments to chapter 20 for future consideration by council.

Kevin Daly: Second.

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

All: Aye.

Bridge Littleton: Opposed?

Bridge Littleton: Abstentions? Motion passes. Next.

Danny Davis: May I interject real quick? As you're making this motion, I would just suggest an amendment that you might want to add into it at near the end where it says and to award a contract I would say and to present to Council recommendations for award of a contract. I think that meets the spirit of what.

Peter Leonard-Morgan: I move that the Town Council authorized the town administrator to solicit informal proposals for branding based on the scope of work presented by the town administrator at tonight's meeting to negotiate with firms submitting informal proposals and to bring to the council proposed contract to perform the services in the scope of work in an amount not to exceed 40 thousand dollars.

Kevin Daly: Second.

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

All: Aye.

Bridge Littleton: Opposed? Abstentions? It carries. Was there anything else? That's it? Wow. Shortest meeting ever. Meeting adjourned.