



**MIDDLEBURG TOWN COUNCIL**  
**Regular Monthly Meeting Minutes**  
**Thursday, February 27, 2020**



**PRESENT:** Mayor Trowbridge M. Littleton  
Vice Mayor Darlene Kirk  
Councilmember Chris W. Bernard  
Councilmember J. Kevin Daly  
Councilmember Morris “Bud” Jacobs (participated electronically)  
Councilmember Peter Leonard-Morgan  
Councilmember Philip M. Miller  
Councilmember Cindy C. Pearson

**STAFF:** Danny Davis, Town Administrator  
Rhonda S. North, MMC, Town Clerk  
William M. Moore, Deputy Town Administrator  
A.J. Panebianco, Chief of Police  
Jamie Gaucher, Business & Economic Development Director  
Estee LaClare, Planning & Project Associate

The Town Council of the Town of Middleburg, Virginia held their regular monthly meeting, beginning at 6:00 p.m. on Thursday, February 27, 2020 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.

Councilmember Jacobs participated in the meeting electronically as he was attending Planning Commissioner’s training in Harrisonburg, Virginia.

**Special Recognitions by Mayor & Council**

**Mayor’s Proclamation – James Smith**

Mayor Littleton advised the Council that he issued a Mayor’s Proclamation to James “Smitty” Smith in recognition of his efforts toward the desegregation of Middleburg. He read the proclamation aloud and advised that he would present it to Mr. Smith at his home.

**Action Items** (non-public hearing related)

**Special Events Funding Request– Middleburg Spring Races**

Business & Economic Development Director Gaucher reported that the Cultural & Community Events Committee (CCEC) reviewed the Middleburg Spring Race’s grant application; however, they could not support it as proposed. He reported that Mr. Stiffler, from the Spring Races, was available to discuss alternative options for the use of the grant funding.

Mr. Stiffler reported that they have discussed using the funding to cover the cost of radio advertising that would be tied to the Town, as well as conducting surveys of their attendees. He advised that WINC radio station could provide ten radio spots, and potentially a live broadcast, for \$2,500-3,000.

It was noted that the CCEC pointed out that the grant funding should be used to focus on marketing and drawing people into the town. The Council held some discussion as to whether the revised application should be returned to

the Committee for their review. Vice Mayor Kirk, who is one of the Council representatives for the Committee, opined that they would support the revised application as this was what they wanted. The Council agreed it was a better use of the money.

*Mayor Littleton moved, seconded by Vice Mayor Kirk, that Council approve up to \$3,000 to sponsor the WINC FM broadcast, provided it highlight the town, said approval subject to the receipt of an updated written application.*

Vote: Yes – Councilmembers Kirk, Bernard, Daly, Jacobs, 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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### **Appeal of HDRC Decision – Emmanuel Episcopal Church Parish House Sign Application**

Councilmember Daly disclosed that he was a member of the Emmanuel Episcopal Church and that to avoid the appearance of a conflict of interest, he was recusing himself from the discussion and vote on this item.

Deputy Town Administrator Moore reported that the Historic District Review Committee (HDRC) disapproved the COA for the sign at the Church’s Parish House. He reviewed the history of the request. Mr. Moore advised that he held a pre-application review with Vivian Warren and the application was submitted in October 2019. He noted that the sign was installed prior to the HDRC meeting; however, he did not make an issue of it because the application had been received. Mr. Moore advised that when the HDRC discussed it in November, they had issues with the proposed size and that it was obscuring the building’s architectural features. He noted that they offered suggestions to Ms. Warren, who then requested that the application be tabled. Mr. Moore advised that he was in contact with her in December and she asked that the application be delayed until the January meeting. He reported that the staff met with Reverend LeCouteur twice in January to discuss the HDRC’s concerns, including once in which Chairman Turnure was present. Mr. Moore noted that in the meantime, the members of the HDRC went to view the sign individually. He reported that when the Committee met again, they still had concerns about the proposal and disapproved the request. Mr. Moore advised that in doing so, they cited that it was inappropriate in size and that it obstructed the architectural features of the building.

Deputy Town Administrator Moore explained that the applicant had the right to appeal the HDRC’s decision to the Council. He reminded the members that their role was to determine whether the HDRC erred in applying the Historic District standards to the application and was not to substitute their feelings. Mr. Moore explained that they could affirm the HDRC’s decision or modify or reverse the decision if they felt they did not apply the standards appropriately.

HDRC Chairman Turnure advised Council that he met with Reverend LeCouteur in January and understood his point of view. He further advised that he conveyed his thoughts to the members during the meeting. Mr. Turnure reported that the Committee reviewed the applicable Historic District Guidelines and identified things in the application that were against them; therefore, they denied the request. He explained that the HDRC was concerned with the location of the sign and felt it blocked the architectural features of the building. Mr. Turnure noted that the members also felt the porch itself was an architectural feature and that the location of the hanging sign detracted from it.

Deputy Town Administrator Moore noted that he counseled the HDRC that when work was done before an application was submitted, they must treat it as if the work had not been done. He explained that they could not give favorable treatment in such cases, nor should they act in a punitive manner. Mr. Moore opined that the HDRC acted on the face of the application.

Mary Gail Holden, an attorney with Turner & Kenney, appeared before Council representing the Emmanuel Episcopal Church. She distributed a packet of photographs of signs in the town that they felt demonstrated that there were others that were too large or hung down. Ms. Holden explained that the sign was needed as visitors and delivery drivers were having a difficult time finding the Parish House. She opined that the sign needed to contain the name and address.

John Tonega, a member of the Church, opined that the Parish House was not unlike the Community Center. He reiterated the need for signage so that guests could easily find the facilities as they had performances that drew large audiences to their location. Mr. Tonega reported that attendance at events had increased since they installed the sign. He opined that this was a safety issue and advised that they had an issue in which medical help was delayed because the emergency responders could not find their location. Mr. Tonega requested that the sign be allowed to remain.

Ms. Holden advised that the current sign was their sign of choice; however, if that was not possible, they asked for approval of a smaller version.

Councilmember Pearson noted that she was the Council representative for the HDRC. She advised that the Committee did their homework and did not judge applications easily. Ms. Pearson noted the photos that were presented and explained that signs were considered based upon the entire dimension of a building. She noted that the HDRC did offer other options for the Church's consideration. Ms. Pearson advised that one could not see the building's architectural features when driving by as a result of the current sign. She reiterated that there were lots of options to consider. Ms. Pearson suggested that if deliveries were an issue, the existing address numbers may stand out better if they were darker. She advised that the HDRC took everything into consideration before voting on an application.

The Council questioned whether consideration was given to placing a sign on the brick column at the end of the sidewalk. Ms. Holden opened that it would not be seen if a car was parked in front of it. She advised that they did not want to attach a sign to the building.

The Council questioned whether the signs depicted in the photographs had Certificates of Appropriateness. Deputy Town Administrator Moore noted that at least one did not and advised that he would follow-up on it. He reported that the HDRC did consider the applicant's request for a smaller sign; however, they denied that as well as it still obstructed the building's architectural features. Mr. Moore advised that another issue was that the church's sign was a hanging sign, not a projecting one.

The Council noted that their role was to determine whether the HDRC acted in an inappropriate manner. They opined that there was not just one solution to this problem.

Chairman Turnure cited the photographs that were presented and explained that the HDRC did not only look at the sign, but looked at the entire building. He advised that they did not deny anyone the right to have a sign. Mr. Turnure noted that some of the buildings depicted in the photos were not contributing structures to the Historic District. He reminded Council that the HDRC's role was to protect historic buildings. Mr. Turnure explained the difference between a contributing and a non-contributing structure.

The Council held some discussion with the applicant on alternative sign options, including alternative locations; however, the church's representatives declined them as they felt they could not be seen, or they wished to plant trees in the proposed locations.

Mayor Littleton advised that the Town wanted to be accommodating; however, he noted that it was important to recognize that the HDRC was set up to represent the Town and to operate based on the Historic District Guidelines. He advised that they worked hard to focus on what was best for everyone. Mr. Littleton further advised that they sweat over the details to help the applicant and the community.

The Council held some discussion of past appeals. It was noted that the Council only overturned one HDRC decision during Chairman Turnure's thirty-year tenure. The Council suggested that if they disapproved the appeal, the HDRC could offer the church some help with design ideas.

Deputy Town Administrator Moore noted that the Committee did so to a point when it made its recommendations. He advised that it was uncommon for the HDRC to disapprove a request. Mr. Moore explained that it was more common that they would offer comments and the applicant would return with a revised application.

Chairman Turnure reminded Council that the members were not there to design an applicant's sign; however, they did make suggestions.

In response to an inquiry from the Council, Deputy Town Administrator Moore advised that if they denied the appeal, the applicant could appeal their decision to the Loudoun County Circuit Court.

The Council noted that they were not voting on the sign but rather were voting on whether the HDRC did its job appropriately.

*Councilmember Miller moved, seconded by Councilmember Leonard-Morgan, that Council affirm the decision of the Historic District Review Committee to deny COA 19-36 for a hanging sign at 105 East Washington Street and disapprove the sign for the following reasons: (1) the sign has an inappropriate scale for the building given its arrangement and relative size; (2) the sign is in an inappropriate location, hanging down from the porch, which blocks from public view some of the historical details at the entrance of the Parish House; and, (3) the sign conceals from public view the historic fenestration of the Parish House and is therefore not compatible with the structure.*

Mayor Littleton expressed appreciation to the members of the audience for attending the meeting. He advised that the Council relied upon the HDRC to do the right thing and noted the need to respect that. Mr. Littleton suggested the staff could help the Church achieve its goals.

Vivian Warren noted that she was the one who was responsible for the construction of the sign. She suggested the Town needed make the regulations public so people who were planning to do something in the Historic District would know of them.

Mayor Littleton noted that the Historic District Guidelines were posted on the Town's website. He advised that the HDRC was working on updates, as well as a guidebook that would identify where individuals would go when they were considering projects.

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

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### **Staff Reports**

Town Administrator Davis reported that several items were reliant upon the Town Engineer and advised that the staff was working to get J2 Engineers to come to Middleburg. He noted that the plan was to pave Chinn Court in conjunction with the paving project for Pinkney Street; however, it may be possible to do so earlier depending on the availability of a paving company. Mr. Davis reported that the staff was informally using the Laserfiche system and advised that training would soon be provided. He noted the need to scan all paper that was received. Mr. Davis reported that four vendors attended the mandatory pre-offeror's conference for the Regional RFP for Solid Waste Management. He expressed a belief that the towns would see a successful outcome from it.

Mayor Littleton noted that the towns were ecstatic over the regional RFP process.

In response to an inquiry from the Council, Town Administrator Davis reported that he was conducting phone interviews with candidates for the Administrative/Accounting Assistant position. He advised that in-person interviews would be held within the next week.

### **Reports of Town Committees/Council Liaisons**

Councilmember Daly reported that he met with citizens who were forming a committee on Christmas activities in Middleburg and suggested that this would fall under the purview of the Cultural & Community Events Committee (CCEC). He explained that they planned to build on the synergy of Christmas in Middleburg by adding events that would occur on the weekends up until Christmas.

Town Administrator Davis advised that these were organized efforts that were coming from the business community. He noted that the Middleburg Business & Professional Association has mentioned doing something like this for years. Mr. Davis expressed gratitude that the individuals have approached the Town and suggested the need to put everyone together in one room to discuss the proposal.

Vice Mayor Kirk asked that they work with the CCEC as they moved forward.

### **Action Items** (non-public hearing related) (continued)

#### **Appointment of Town Treasurer**

Vice Mayor Kirk introduced Julie Rivard, the new Town Treasurer. She advised that Ms. Rivard has worked for thirteen years as a tax auditor for Fairfax County and loved deadlines and smaller offices.

Town Administrator Davis expressed excitement that Ms. Rivard was joining the Middleburg team. He reported that she also previously worked for Berkley County, WV. Mr. Davis opined that her experience in dealing with taxes and the public, as well as handling business tax audits, would be valuable to the Town.

*Vice Mayor Kirk moved, seconded by Councilmember Daly, that Council accept the resignation of John O'Neill as Interim Town Treasurer, appoint Julia Rivard as the Town Treasurer, and name Danny Davis as Deputy Town Treasurer with all rights and responsibilities to conduct business as the Treasurer of the Town of Middleburg in her absence, effective March 9, 2020.*

Vote: Yes – Councilmembers Kirk, Bernard, Daly, Jacobs, 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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#### Loan of Asbury Church Bell to Middleburg Museum

*Vice Mayor Kirk moved, seconded by Councilmember Daly, that Council approve the permanent loan of the Asbury Church bell to the Middleburg Museum, as shown in the “Middleburg Museum Incoming Loan Agreement Form.”*

Vote: Yes – Councilmembers Kirk, Bernard, Daly, Jacobs, 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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#### Farmers Market Contract

Business & Economic Development Director Gaucher reported that since last fall, he had been looking for a better solution to the Farmer’s Market and reached out to the Loudoun Valley Home Grown Market Cooperative (LVHGMC) to see whether they would be interested in managing Middleburg’s market. He noted that they were connected to farmers and the food community and opined that their mission fit with what Middleburg wanted to do with its Farmer’s Market.

Business & Economic Development Director Gaucher noted that they met with the Cultural & Community Events Committee and developed the framework of a proposal for LVHGMC to manage the market. He explained that this would involved a two- to three-year commitment; a new mix of vendors, to include more diverse vendors; a focused marketing effort; a dedicated manager; a community table; and limited financial assistance from the Town to help the existing vendors. Mr. Gaucher expressed hope that the Council would authorize the staff to develop an agreement with them.

After some discussion, the Council agreed they were not comfortable approving a contract without knowing the details of it. They acknowledged the need to address this quickly as the Farmer’s Market would open soon. The Council held some discussion of LVHGMC’s proposal to move the Farmer’s Market to Madison Street. It was noted that there may be an alternative site for it at the new Town Hall building; therefore, the Council suggested it be left at its current location for now. It was noted that the Town may need to provide funding to assist the current vendors as they have not had to pay a percentage of their sales in the past. It was further noted that at least one vendor would not be able to work with LVHGMC. The Council agreed they would like to take the market to the next step of being professionally managed; however, they reiterated that they needed to have a contract that they could discuss, particularly if it would include a three-year financial commitment from the Town.

Don and Ruth Owens, of LVHGMC, advised Council that in regard to the proposal to change the location of the market, visibility was paramount to its success as it would impact the traffic. They noted that they had fifty vendors at their Leesburg location and advised that the first thing they would need to do was to learn as much as possible about Middleburg’s market so they could promote it to them. Mr. Owens advised that they would want the market to be a part of other events.

Mrs. Owens advised that they were a coop, meaning all their vendors had voting rights. She further advised that they were a producer only market, meaning the vendors must raise or create their products. Ms. Owens reiterated that they had a large vendor base from which to pull. She noted that they were a non-profit and only covered their costs. Mr. Owens explained that if they did not use all of the funding they raised during a year, they returned it to the vendors. Ms. Owens advised that they charged their vendors \$25/month for the season, for a total of \$150/year, plus a \$25 membership fee and 3% of sales. She opined that they were the lowest fees in the area. Mr. & Mrs. Owens reviewed where the money was spent.

In response to an inquiry from Council, Mrs. Owens confirmed the name of the market would not change.

The Council agreed to add this item to their March 9<sup>th</sup> budget work session agenda so they could consider the contract. They asked that they be provided a copy of the proposal by the close of business on March 6<sup>th</sup>.

Water Tank Maintenance Contract – Suez

Town Administrator Davis reminded Council that the Town issued a Request For Proposals for water tank maintenance. He advised that Suez was the top proposal; however, the contract was not ready for approval. Mr. Davis asked that the Council continue their existing contract during the negotiations for the new one.

*Councilmember Miller moved, seconded by Councilmember Daly, that Council authorize the Town Administrator to extend the contract with SUEZ/Utility Service Company, Inc. and to continue discussions for amendments to the existing contract based on the RFP for Water Tank Maintenance Services.*

Vote: Yes – Councilmembers Kirk, Bernard, Daly, Jacobs, 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**

Wayfinding Program Options

Planning & Project Associate LaClare advised Council that the staff discussed this project with the Town’s prior consultant, LPDA, as well as with Frazier & Associates, who wrote the manual on wayfinding signs for the State. Based on those discussions, she recommended the Town adjust its approach by beginning the project with the development of the gateway and wayfinding signs. Ms. LaClare further suggested the wayfinding signs be more pedestrian in nature. She requested Council approval to pursue this approach and to contract with Frazier & Associates for their services.

Town Administrator Davis noted that the staff did not have a formal proposal from Frazier & Associates; however, he suggested it may be possible to write one off the State contract. In response to an inquiry from the Council, Mr. Davis opined that the consultant’s design costs would be within the existing budget; however, he noted that the cost of the signage was unknown at this time.

Deputy Town Administrator Moore explained that LPDA would continue to serve as the Town’s consultant with regard to the street signs, which would allow that portion of the project to move forward. He noted that Council action was not needed for that piece.

*Councilmember Miller moved, seconded by Councilmember Daly, that Council authorize the Town Administrator to enter into a contract with Frazier Associates, based on cooperative procurement, for the Wayfinding Program.*

Vote: Yes – Councilmembers Kirk, Bernard, Daly, Jacobs, 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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Vice Mayor Kirk noted that the Council previously selected colors for the wayfinding signs.

Planning & Project Associate LaClare advised Council that the program under which those colors were approved had expired, as had the approval to use them.

#### Proposed FY '21 Budget

Town Administrator Davis reported that he met individually with members of the Council to review the budget. He noted that the goal of this session was to determine whether the members had any questions that the staff needed to prepare for for the March 9<sup>th</sup> budget work session. (No questions were raised.) Mr. Davis reported that the budget that would be presented during the work session was the existing one and advised that he would have a cover sheet that identified recommended changes that had been discussed to date.

Mayor Littleton recessed the meeting for a three-minute break, at which point Councilmember Jacobs left the meeting. Mr. Littleton called the meeting back to order.

#### Closed Session – Property Acquisition & Appointments to MAC and Streetscape Committee

*Councilmember Miller moved, seconded by Vice Mayor Kirk, that Council go into closed session as authorized under Section 2.2-3711 of the Code of Virginia, for (1) the discussion or consideration of the acquisition of property for a Town Administration Building as allowed under Subsection (A)(3) and (2) for the discussion, consideration or interviews of prospective candidates for the appointment of specific public officers, appointees and employees of the public body as allowed under Subsection (A)(1), for the purpose of discussing appointments to the Middleburg Arts Council and the Streetscape Committee. 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, Leonard-Morgan, Miller and Pearson

No – N/A

Abstain: N/A

Absent: Councilmember Jacobs

(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 the members so did. He reminded those present for the closed session that any discussion that occurred within it should be treated as confidential.



**Action Items (continued)**

**Appointments to MAC and Streetscape Committee**

*Councilmember Leonard-Morgan moved, seconded by Councilmember Pearson, that Council appoint Michael Calley to the Streetscape Committee. Councilmember Leonard-Morgan further moved, seconded Councilmember Pearson, that Council appoint Mary Ann Burns to the Middleburg Arts Council to fill an unexpired term, said term to expire June 14, 2022. Councilmember Leonard-Morgan further moved, seconded by Councilmember Pearson, that Council appoint Valerie Peacock and Susan Pollard to the Arts Council to fill unexpired terms, said terms to expire June 14, 2021.*

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

No – N/A

Abstain: N/A

Absent: Councilmember Jacobs

(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 8:49 p.m.

APPROVED:

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Trowbridge M. Littleton, MAYOR

ATTEST:

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Rhonda S. North, MMC, Town Clerk

## February 27, 2020 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:** All right. Good evening. We will call the February 27th meeting to order. As soon as I bring up my agenda, first item is the Pledge of Allegiance.

[Pledge of Allegiance]

**Bridge Littleton:** Okay. The next item is Roll Call.

**Chris Bernard:** Chris Bernard.

**Philip Miller:** Philip Miller.

**Darlene Kirk:** Darlene Kirk.

**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.

**Dany Davis:** Danny Davis. Town Administrator.

**Rhonda North:** And I will note for the record that Council Member Jacobs is on the telephone participating electronically.

**Bridge Littleton:** Rhonda, does he have to state where he is and his location and all of that.

**Rhonda North:** We can do that now. [multiple speakers]

**Bud Jacobs:** You want me to do that now?

**Rhonda North:** Yes. Could you please state for the record why you're participating electronically and the location?

**Bud Jacobs:** Yes, I'm participating electronically because I'm out of town in Harrisonburg taking planning commissioner training.

**Rhonda North:** Thank you.

**Bridge Littleton:** The fortunate man you are. Okay. Next item is public comment. If and any member of the public would like to address the council on any matter, you may do so now for up to three minutes. Would anyone like to address the council? Ok. We will close. Excuse me. The public comment session. We have no public hearing or related actions. And looking to see if [inaudible] or hear he's not here yet. Oh, some folks are still coming in. Ok, so

one item I do want to cover real quickly is a special recognition for James Smith. For Smitty. So some of you are probably here at the last meeting will re-read a proclamation recognizing Reverend Swan for his instrumental work in helping desegregate Middleburg back in the early 1960s. In doing that and doing some more research, we come. We came to find out that his partner in doing so was Smitty [inaudible] William Smith or excuse me, James William Smith, who lives here in Middleburg. So we have, you know, in recognizing Reverend Swan for his contribution. We also want to recognize Smitty. So in doing so, we have a proclamation that we want to just take in real quickly read into the record. So this is a mayor's proclamation for James William Smitty Smith contribution to the Middleburg community, whereas Mr. James William Smitty Smith has been a lifelong resident and citizen of the town of Middleburg. And whereas Mr. Smith worked for [Inaudible] Ford for over 43 years, serving many members of the Middleburg community. And whereas Mr. Smith has been instrumental in promoting equality and diversity in and throughout the Middleburg community for over 70 years, and whereas Mr. Smith sought to, in partnership with his dear friend, Reverend William Swan and other community leaders, end segregation in the early 1960s, which still existed in the town of Middleburg and throughout the entire Commonwealth of Virginia. And whereas through Mr. Smith's hard work and a determination, along with those of Reverend William Swan and others, the town of Middleburg to include the Coach Stop Restaurant, [Inaudible] drugstore desegregated, becoming the first town in the Commonwealth of Virginia to do so. And whereas these events had a profound impact on the character and future of Middleburg and Greater Loudoun County in the years to come. And whereas none of this would have been possible without the love and support of Mr. Smith's wife of over 63 years till. now, therefore be it proclaimed that the mayor and members of the town council, the town of Middleburg, Virginia, hereby recognized Mr. William, Mr. James William Smith for his tireless work and express our sincere appreciation for his invaluable service to the town of Middleburg and to the greater Middleburg community. So. [applause] And we will present this to Smitty at his house. But for those of you who don't know, the seminal event that happened was in April of 1961. President Kennedy was renting [Inaudible] Farms and coming out to [Inaudible] on weekends. And it was a stark contrast of President Kennedy being so for equal rights, but then spending his weekends in a town which was segregated. What started this entire thing was Reverend Swan and Smitty, and I have to imagine they were in their 20s at the time or in their teens, decided that this was just just not right anymore. And so they went into [Inaudible] his drugstore, and sat at the segregated counter to be served. And that was the first time it had happened. They did the same thing again the next day at the Coach Stop restaurant and it got around the press that this had happened. And nothing came of it. You know, they were served and then they were asked to leave. But then this really became an issue locally and sort of in a national way. And so a demonstration was planned to happen that Sunday in the town of Middleburg. And something like eighteen hundred people were coming and they were going to protest in Middleburg after President Kennedy had Catholic services at the community center. So the mayor at the time was Mayor Reemer, the owner of all those restaurants and including the Red Fox. And the Vice Mayor got together that Saturday morning before the sun and said, this is not going to happen anymore. This is bad for Middleburg. It's not who we are. It's not who we want to be as a community. And in 10 minutes, they all agreed to end segregation in Middleburg. So Middleburg segregation in Middleburg is a town practice and as a business practice ended in April of 1961. And if you all remember, what's that? It was the first town in the Commonwealth Virginia and Brown versus Board of Education, I think was in 1956. But the Supreme Court gave states multiple years to enact it. Full segregation in Virginia did not end until the mid-late 70s. So, you know, Middleburg was the first town in 1961. And that action actually pressured Leesburg to desegregate within a year and the county to desegregate within two years. So those two gentlemen really sort of paved the way for this change in Middleburg and it was for our benefit. So that's why we did this for them. Ok, thank you. Ok. Next item, Andrew, how are you? We're going to move something around on the agenda quickly, because this should be a very quick, quick item. And Andrew, I know you're suffering from it's not the Coronavirus, but it's so we're gonna jump real quickly to the special event funding request for the Middleburg Spring races. Jamie, where are you? Okay, great. Right next to Andrew. If you gentlemen want to come up real quickly, Jamie, just give a quick, you know, two seconds and then we'll take it from there.

**Jamie Gaucher:** Thank you, Mr. Mayor. Members of council, I recognized in the memo that I'd prepared for this evening's meeting, the Cultural and Community Events Committee sat down and evaluated the Spring Races Association application and their amended application for special event funding. And the committee felt that they could not support that application, recognizing that this is the one hundred running of the Middleburg Spring Races. I think it's important. I'm glad you're here to talk about the importance not only of this event from a cultural

perspective, but also from an economic perspective here in Middleburg. And you and I have also discussed offline potential options that might be attractive to the town from a funding perspective.

**Andrew Stiffler:** Well, I think we've gone back and looked at this couple different ways. We realize there's something we could not afford to do. And I've looked at that since I've talked with some people. And that is to use radio and radio commercials and that we could tie in the town as well as tie in the races. So the combination of your well together also by having the town support that we could also tie that in I talked earlier about the surveys both for the business group as well as the people who attend the races. So we'd have those two things come back to the town with the show what's the results of because we'd go to the business, say, did you do do you have any change in your business on a normal weekend with that weekend and our guess is we talked with them probably a couple of months ago with Wink Radio, and then they may and if they do that, we may yet get them to come to the races, too, which is another positive thing. And we could work that one with them, but it's somewhere between \$2500 and three thousand dollars would do approximately 10 spots. But I'm not sure exactly what that number is depends on length.

**Jamie Gaucher:** And potentially a live broadcast.

**Andrew Stiffler:** Yeah. Well actually not that's not a given. [inaudible] Yeah. But if we're doing that ad and that's an opportunity for them to do live too. And I've got a spot where I could put them too. Where I was going to put you on the rails. [laughter]

**Bridge Littleton:** Yeah, no, no, no. So as I and Jamie, correct me if I'm wrong, but just going through the memo and I remember, you know, Darlene and Cindy, you [inaudible] discussions last time. One of the points that the Cultural Events Committee pointed out was that the funding requests typically aren't for things like, you know, a parking spot for tailgates or something like that. But it really should be focused on marketing and drawing people to the town. So I think my question for you and for Darlene is if the focus shifts to using these using, I guess is twenty five hundred or three thousand dollars for advertising for a Wink that they wouldn't do otherwise and they highlight the town. How do you guys feel about that and how do you think the committee would feel?

**Cindy Pearson:** I can't speak for the committee, but I would think that it would be more appropriate certainly. And that is what the funds are normally used for. So I would say if they. I don't know how we would go about this if it needs to go back to the committee now and be approved, as you know, be rewritten, because I believe this is just in conversation.

**Andrew Stiffler:** That is correct.

**Cindy Pearson:** Yeah. So have them rewrite it or change it, whatever it is, and then come back and then have it. Or I don't know if you all can just go ahead and approve it on the completion of their updated application because yes, marketing is.

**Bridge Littleton:** I mean, I think we could do that.

**Darlene Kirk:** Yeah, that's what I was gonna suggest that we do. Okay. I personally support it and I think that's what we wanted. We wanted to get a little bit more mileage out of our money. And that's why we suggested.

**Andrew Stiffler:** The other benefit of doing would be it would also go on or so social media that the town is a sponsor. [inaudible]. Any future communications show the town of Middleburg at a sponsor. That's very possible.

**Bridge Littleton:** Gotcha. Any other, I mean thoughts from council? Any questions? Well it's interesting, too. I remember when we did the Oktoberfest. If I remember, they ran some ads on Wink, right? Yeah, I remember actually talking to three or four people the day they were there who said, Oh, I don't even know about it and then I heard it on the radio. It sounded great. And then they came out. So I don't think they will listen to the radio anymore. [multiple speakers] .

**Jamie Gaucher:** So I think we work cooperatively to come up with a commercial. [off mic]

**Bridge Littleton:** So does everybody feel comfortable with that path? I mean, the path, I guess, would be up to three thousand dollars to sponsor the Wink FM broadcast, making sure we highlight the town and all that and then the approval be subject to the updated forms and the actual written application and all that stuff.

**Darlene Kirk:** Second.

**Bridge Littleton:** I didn't know I could make a motion. [off mic] No, I mean, Kevin, Peter, you guys, Philip, any concerns. [off mic] Okay. So Rhonda, does that count as a motion and a second? Okay.

**Rhonda North:** Oh, I need a second.

**Bridge Littleton:** What's that?

**Rhonda North:** Did someone second?.

**Bridge Littleton:** The Vice Mayor did. [off mic] All those in favor say aye.

**Everyone:** Aye.

**Bridge Littleton:** [laughter] I forgot Bud was on the phone. Opposed, abstentions. Okay. Thanks.

**Darlene Kirk:** Thank you so much for working with us. [off mic]

**Bridge Littleton:** Okay. Now we'll go back to our regularly scheduled broadcast. And first item is appeal of HDRC decision. Mr. Moore, would you please join us? Mr. Tenure, I believe.

**Kevin Daly:** Mr. Mayor.

**Bridge Littleton:** Yes, sir.

**Kevin Daly:** Before we begin, full disclosure. I am a member for the past, probably over 30 years of the Manual Episcopal Church, and I've held numerous positions in the leadership to avoid the appearance, real or imagined of any favoritism for my part, I must recuse myself from any further discussion or vote on this subject.

**Bridge Littleton:** Noted and much appreciated. Okay. So. Will, I guess well, if you want to give us the brief synopsis and I guess also anybody from the church or the applicant or would it be the appellant? Oh, I don't like that. Members of the community from the church who would also like to join us to the table to discuss the position of the applicant would be welcome as well. If we need an extra chair, we'd be happy to pull one up. Sure. Absolutely.

**Rhonda North:** Just pull the chair that he's sitting at.

**Will Moore:** If I might suggest this for me, or maybe I'll just give a very brief synopsis. And maybe Mr. Tenure would care to add something to that if appropriate. Then we can turn over to members of the church. So that's the matter that's before you. The historic district review committee disapproved a certificate of appropriateness application for a sign at the church's parish house. Very brief. I know you have my staff report, but just a brief history. I had met with a representative of the church, Ms. Warren, on a pre application basis in October. She subsequently brought in the appropriate applications that he signed permit and the accompanying certificate of appropriateness application. At the end of October, prior to the HDRC convening to consider the application, the sign was installed in violation of the ordinance. We have those applications in hand, we do not issue a notice of violation. It's standard practice that we try to work with somebody, even if work has been done prior to consideration and approval. The HDRC, when they convened in November, had a number of concerns with the application and

many of those are outlined within the staff report. Had to do with the size relative size I should say obscuring certain architectural elements on the building behind quite a number of things that they cited. And then they've made some suggestions as to how this sign could possibly be altered or maybe a different sign altogether might be more appropriate. Ms. Warren was the representative at that meeting and she requested that rather than the HDRC taking action at that meeting that they consider tabling it so she could go back and talk to Reverend Gene. She subsequently contacted me prior to the December meeting, indicated that she would be unable to attend and requested again that it not be considered at that time. And then we would push it to January. During the month of December, I met with Father Gene at the church offices and kind of discussed one on one with him as he had not been at any of the meetings. Some of the concerns that the HDRC had with the application. And then we met again, Father Gene, with the mayor, with the town administrator and with Chairman Tenure from the HDRC in early January to again discuss some of the concerns with the application. The application was then considered by the HDRC at their January meeting. The concerns they were able to get some additional information at that time when they had first seen the application, even though the sign had been erected, they had not seen it in place. They had only seen a visual that was provided a mockup of it superimposed on a photograph. So they had the benefit. The members of the committee to actually go and see the sign in place and see it from different angles, some angles some of those architectural features are not obscured, but others they are partially obscured or fully obscured depending on your positioning. So when the HDRC convened in January, having had the benefit of those additional views, they still had many of the same concerns. They subsequently took action to disapprove the request. They cited inappropriate scale for the building, inappropriate location hanging down from the porch, obscuring architectural features. And then I provided in my report some of the [inaudible] documents that the HDRC uses when they are considering these applications. So their authority is outlined in the zoning ordinance, which gives criteria. One of those criteria that they are to consider are the adopted historic district guidelines. So I've also considered that were included, I should say, a number of excerpts from the guidelines that were discussed by the committee in its consideration of the application. So in terms of process, it is any applicant's right to appeal the decision of the HDRC to this body. This body has not heard one of these appeals and I think quite some time. This is the first time in my time here. But in process your role is to really consider what is before you consider whether the HDRC erred in their application of the standards is outlined in the zoning ordinance, which includes their application of the design guidelines. So yours is not really to substitute yourselves for them, but to review their work and to decide whether they applied these standards and guidelines appropriately. So we've given you some information in here in terms of process. You may take one of three actions. You may affirm the decision that is to affirm the disapproval, you may modify the decisions. So I noted here that there were actually two signs that were presented to the committee at the January meeting, decided it has already been fabricated and another one, which is identical in style, but smaller in scale. So you have a potential thing you could modify their decision by affirming their decision to disapprove the larger sign, but approving the smaller signs. That would be a modification. Or you could reverse that decision to approve the certificate of appropriateness. Those are the options that are before you. And at this time, I would just invite Mr. Tenure if he had any comments on HDRC consideration. I prefer to not weigh in on that. I'm simply the staff member. They are the body that applied those guidelines.

**Bill Tenure:** So we have the benefit of this application of having it come before us in December and to have the discussion that we had with Ms. Warren when she was there. And so we had that discussion and we weren't convinced that this was the right sign for the building that she was willing to to consider other options. And she asked if she could table it so that she could discuss those with the church and then come back. In the month prior to that you know, we had a meeting with Reverend Gene. And I got to understand his point of view where the church was actually coming from. We're here for quite a long time to discuss the issues and the thoughts. And I felt like I had an idea of, you know, his point of view. He wasn't able to come to the January meeting, but I can make those thoughts to the rest of the committee at our January meeting so we had the ability to contact the members in the month of January or December and January, so they go by and actually see make sure that they saw the sign and also to have the information conveyed to them from Reverend Gene so they can see his point of view, you know, as well. And we were able to go back in and review the guidelines and point out certain things that we felt were going against the guidelines. So we had that benefit as well. And the committee still was unable to approve the sign. The only the only thing that's not in the report that I would just like to say, not only is that not only was the committee concerned with the location of the sign and that it was blocking architectural features and so forth, but the committee felt that the porch itself was an architectural feature, not necessarily just the door of the transom and some of the

architectural details of the hanging, the pendant light that was hanging down. But the porch itself was an architectural feature of the building and added great value to it. It was a very handsome porch. And at that, the sign, you know, the location of it and down actually detracted from the overall nature of that porch. And that was also thought of as we went through our discussions. So I just want to point that out and I will leave it up to whoever [inaudible].

**Will Moore:** And just one final thing. It's not included in my report, but I think it's important to note some of the counsel that I give to the HDRC when they're in this position where work has already been done prior to them considering an application. It happens a little too frequently for our taste. Here we would prefer something come forth prior, so no funds have been expended until you get your actual approval. But the counsel I always give to the HDRC is they should treat the application. And I would suggest you should treat this appeal as if the work has not already been done. And there are two parts to that one. You should not give any more favorable consideration to it just because the work has already been done. The applicant shouldn't get benefit from that. That would only encourage more people to ask forgiveness rather than permission. But the second part is you should also not act in a punitive manner. We don't punish people for going out of sequence. The goal is to go through the process and how the process works out. And I will say I'm confident the HDRC acted in that manner. They obviously didn't give any additional favorable consideration, but they were not trying to act in a punitive manner either. They were simply treating the application on its face.

**Bridge Littleton:** Thank you. Really appreciate it. So, Father Gene, I'm sorry, [off mic] Actually. You just want to. So keep the record together. OK. Yeah. Just say your name and that'd be great.

**Mary Holden:** Mary Gayle Holden. I'm an attorney with Turner and Kinney. I'm also in the vestry at the Emmanuel Church [inaudible] And I'm here tonight to talk about the sign. Do I need to stay at the microphone the whole time?

**Bridge Littleton:** You want to make sure it can pick you up. OK. So if you have something hand out, by all means, please hand it out. But then you'd have to be back to the mic. [off mic] This is Middleburg. We're very fancy we have transcripts now.

**Mary Holden:** First of all, I would like to thank those in the audience who came members of the church, and I'd like to ask them to stand and be recognized because it really is an effort for people to get out evening they've had dinner, their home and for them to come out. It really does show support and we really do appreciate their being here. Thank you, Vivien. Thank you. I just want to introduce Sandy Wilson, who's our senior warden at the church who's here tonight. I've given you a package. The first page is the sign as it is now. And I we do acknowledge that we hung it up before we had permission and our bad. We are apologetic that we did so. And we just want to have this problem resolved. So we can all move on. So this is what we have now. If you look at the next page, what we've done is Father Gene went down the road and took pictures of signs that demonstrate that there are other signs that are too large for the space or hanging down. And if you look at the first couple of them, you'll see that these signs are way out of proportion for the size of the building that it covers. So if you go in Mystique Jewelers takes out the whole front of the store. Cherry Architects takes up most of the front, the Highcliffe again, most of the store. So if you look through them, you'll see that they do in fact, cover up most of the store front, whereas although this is not the whole church, the whole church extends beyond here. So this is just a portion of the sign. Then starting with [Inaudible] Associates, you'll see this is a sign that hangs down and covers part of the fenestration, which is something that was objected to by our sign. And here is an awning that again covers part of the fenestration. This one covers the one for [inaudible] covers the whole transom, it's it's blocking. You can't even see it at all. Here's another one that's hanging down. And this one hangs down, blocks the light back up there. Now, if you go at it from a different angle, it may not but just like ours here it doesn't block the light if you go at a different angle. Maybe it does. And then the last one, which is hanging down. We feel that a sign is desperately what we need at the church for a number of different reasons. Apparently we are the parish house is hard to find. We've had cases where my Father Gene's insulin couldn't be delivered. UPS couldn't find it. They had to send it back. Insulin has a time period on it. The time expired. They couldn't get it to him. He had to find other sources. I have someone else here on behalf of the church whose going to talk, John. Going to talk again about the need for a sign that not only has the name of the parish house, but the address, because people find us by both. People say, oh, the event is that the parish house. So the sign

says, hey, we're the parish house. But someone like UPS, Federal Express and Father Gene set a Christmas shop. They were trying to get a Federal Express envelope. He saw the Federal Express truck drive around the block and then take off because they couldn't find parish house. The address wasn't visible from the road. I think John will talk about the emergency. Yes.

**John:** Good evening. I'm John [Inaudible], a member of Middleburg Emmanuel Church and to keep myself on track. I'm just going to read my comments. We are requesting to keep the existing and very readable sign now on our parish house. And this request is driven by more than just Emmanuel's needs, but community needs. Emmanuel's parish house is not unlike the Middleburg Community Center in that people come from far and wide to attend events hosted by multiple Middleburg organizations. Without clear signage on the parish house, visitors inside and outside our community can be inconvenienced and frustrated as they struggle to easily find the place. Of course, such a negative experience for visitors can also hurt the efforts of organizations that are actually hosting events in the building. One community program that has benefited from our relatively new parish house sign is our what we call at the Parish House Performing Arts series. It's now in its fourth year and we showcase mainly local talent poets, singers, storytellers and musicians of all kinds. Three of our programs include children and teenagers, and a year ago we were given a best performance award by Middleburg Business and Professional Association. The relevance here is that we have a growing audience from throughout the [Inaudible], Middleburg and Upperville communities. And more and more we have people coming from as far west as Winchester and as far east as Washington. We're not yet at a thousand visitors a year, but what we're getting close and these visitors need a fast, easy way to find the parish house, especially when they're driving down Washington Street. Interestingly, we've run almost the same three programs in the last two years. And since the current sign went up, our attendance at these events has jumped significantly. Quite significant also is that our visitors often come not just for our shows, but to shop, eat at local restaurants and to be tourists. But it all starts with their being able to find the building easily. Last but not least, there's a safety issue here for all events at our parish house. With higher numbers of visitors, of course, comes greater odds for medical emergencies. And we've already had at least one incident where the emergency medical personnel were delayed because they could not quickly find the parish house. Very clear building signage, as we now have, is key to helping the fire and rescue personnel do their jobs. To conclude, we respectfully request that the current sign on our parish house be allowed to remain. The reasons again, to help visitors from inside and outside our community, to help the many Middleburg organizations using the parish house and to help facilitate emergency response. Thank you for your time.

**Bridge Littleton:** Thank you. Are there any other comments from the church?

**Mary Holden:** I do. I have one more. The sign that we have now is our sign of choice, but we are more than willing to accept the second option if the town council won't approve a sign that we're requesting, we would request that they modify the decision and allow us to put up a smaller sign. Thank you. [off mic] So we asked first that you support our decision to hang the larger sign, we feel the larger sign is easier for people to see. And we'll help identify where the parish house is. If the feeling is that this is too big, then we ask that you modify the decision and allow us to put up the smaller sign. Thank you very much.

**Bridge Littleton:** Thank you. So, Cindy, I guess. How about you start if you have a question or thought. Oh, that's right. you.

**Cindy Pearson:** I'm a council rep for the HDRC.. And I just want to make sure everyone knows that HDRC really does their homework on these type of issues. They don't make their judgment easy. They really do take everything to heart and understand what you guys are going through. But their decisions have always been very straight across the board. When you're showing these signs on these pictures here, you don't understand or you haven't quite made it clear that Will can say this so much better than I can. But the signs go by the dimension of the whole building. And there's X amount of signage that can be on these buildings. So some of these are not. Yes, oversized. You know, it wasn't that we don't want you all to have a sign. They certainly do. There was just other options given. And this the way you have this picture taken, you're standing down here when you're driving by in a car or truck or anything, you're not seeing this. You're coming down this. So you do not see the light. You do not see the window. Now, if



you go a little to the right or a little to the left, you can see them. So there was a lot of different options. You know, these were meetings, this wasn't just one short meeting that this decision was made.

**Mary Holden:** And we did look at some of those putting it on the transom would have made holes in the transom and. No, not the transom. [inaudible]

**Reverend Gene:** The problem was and the reason that we decided to appeal was that there were a number of things discussed, but only one thing in the memo, and that was to put it on the [inaudible] or above there. And that was the very first sign option we looked at [inaudible] because it looks terrible. It takes up almost the entire building. So if you're concerned about a two by six sign, now you're going to have a sign that's going to be about 20 feet. It's going to take the entire frontage of its seeable. And that's even without the address. But we were only given that one option in the original memo. So we couldn't go with that.

**Bridge Littleton:** [off mic] So from a town perspective, we don't want to presuppose what you should or shouldn't do. You guys can say, hey, we want to put it here, we want to put it there, or we want to stick in an armature out from the property line and have it perpendicular. I'm just saying, you know, just because it wasn't in the memo doesn't mean that, you know, there wasn't an open to it.

**Reverend Gene:** But that's the way it appears.

**Will Moore:** [off mic]

**Bridge Littleton:** I'm sorry Cindy, go ahead.

**Cindy Pearson:** You know, and the other part about not getting deliveries and such. I feel for that. I live on West Marshall Street and they go by me too. They receive my packages up here. Unfortunately, I think that's a problem with FedEx, not our buildings and our signage in town. The other thing is on your building, which looks really good, you have little numbers here on your door for your building, which everybody has to have for rescue and things their gold. You know, if they were a darker color, they'd probably stand out more, which is probably isn't the time or place for that discussion right now. But once again, I just want to say that HDRC has done a really good job on taking everything into consideration about this. And I'd just like you all to remember that they are who you put your trust in.

**Bridge Littleton:** Any other thoughts? Darlene.

**Darlene Kirk:** At the end of the sidewalk are there brick columns on either side of the sidewalk? For some reason.

**Reverend Gene:** Yes.

**Darlene Kirk:** OK. I just want to know with the numbers or something be better placed on that. It's easier to see from the road. I don't know. I can't tell you what to do. But it just seemed like if you were having problems seeing it from the road. I don't know. I just wanted to mention that.

**Mary Holden:** But if a car parked in front of it, you wouldn't be able to see it all. And we can't. We don't want to attach it to the building. It's an old building. And we have trouble as it is trying to get the brick repointed and making sure they don't have leaks. And the last thing we want to do is attach it to the building and create more leak problems. We just went through that. Hopefully we're good. Knock on wood this year.

**Bridge Littleton:** Peter? Yes, please,

**Peter Leonard-Morgan:** Mr. Moore, I'm a little conflicted because I think the smaller sign seems to look as if it's not obscuring the transom in the light as much as it obviously does on the bigger one. And when you look at some of the other examples in the packet that Ms. Holden provided us, they do seem to also hang down and obscure some of

the windows. So is there any kind of what is your thought on on that smaller one in terms of any modification to that that would that would suit the HDRC?

**Philip Miller:** Can I hang a question onto that one Peter? The signs in this packet they gave us tonight. Do all of those half a COA?

**Will Moore:** [off mic]

**Bridge Littleton:** Oh, you know what? Bud's on the phone. We forgot about you.

**Mary Holden:** You want me to cram some of these pictures into the phone?

**Bud Jacobs:** Yeah, well, I'm listening carefully to the discussion. And until we vote or don't vote. I don't have much to say.

**Bridge Littleton:** Okay.

**Bud Jacobs:** I know that's unusual.

**Bridge Littleton:** But no, no, no. You've just been. You've been learning so much on zoning and planning. You're probably just so excited to do your homework tonight.

**Bud Jacobs:** This is my homework.

**Bridge Littleton:** So. So we'll have a sort of fundamental baseline question about the process for any appeal. Right. So from a council's perspective. And Danny, this might be, you know, for your input as well. Is our role to first determine whether the HDRC acted in an inappropriate or arbitrary and capricious manner, meaning that they just disregard the facts, disregarded the guidelines and just willy nilly made a decision. Is that kind of the first threshold that we have to get passed?

**Will Moore:** [off mic]

**Bridge Littleton:** The second question is, and I fully appreciate where you guys are coming from in terms of wanting to make sure you have great signage and people can find you and all that. But there's not one solution to every problem. Right. There's an adequate. There's at there's multiple adequate solutions to any given problem. And by no means the reason I'm not on HDRC is because you don't want to ask me what actually looks good. You know, it's like art. I can't do it and I don't know it when I see it. So. But the baseline question I sort of have from a council perspective and I, Will, I appreciate your input, but Bill is the chairman of the committee giving us the history of sort of how the HDRC, you know, deliberated and Cindy, you as well. [off mic] I guess the broader question is. [off mic] It's a prison term. That's a prison term. [laughter]

**Bill Turnure:** [off mic]

**Bridge Littleton:** And just for me, I know it. But just so you know, everybody understands when you say contributing versus noncontributing, what do you mean?

**Bill Turnure:** [off mic]

**Bridge Littleton:** So an example be that'd be that the Red Fox is a contributing structure and the Safeway is not

**Bill Turnure:** Correct.

**Bridge Littleton:** I'm trying to be very like, you know, on both ends of the spectrum. OK.

**Bill Turnure:** [off mic]

**Bridge Littleton:** So are there any other questions or thoughts or inputs?

**Peter Leonard-Morgan:** Yeah. So Ms. Holden, I think you were talking about the fact that the perpendicular sign couldn't be seen right up front. If I'm not mistaken. And but I think literally half a car's length away, you probably would on each side. And also you'd see it much probably by far better as you approach on Washington Street. Yeah. From each side in a car. So has there been more thought to that?

**Mary Holden:** We're just not sure what. We can't put it on the sidewalk. We don't want to hang it down. There's nowhere to hang it down from the church. And we don't really want to put it in the yard. We were going to do trees last year. We had two trees removed. We still haven't put the trees up. And we want to make sure that we leave room for the trees. We're going to do that in conjunction with the town Arbor Day. And that kind of slipped a little bit. But we don't want to put a sign up and then not be able to put out our trees up. And we just feel that this is the best location for our sign in. You know, the objection is you can't see the ceiling light. We'll take the ceiling light down. We have lights on either side of the door. So if that's an objection, I don't know.

**Bridge Littleton:** I don't think the town is saying remove architectural features to then make the sign be OK. Don't break up the window. So.

**Mary Holden:** You know, it's not an old lamp. It's a relatively new lamp. Came from Lowe's.

**Bridge Littleton:** Ok. Yes.

**Cindy Pearson:** Do you still have the white pole event sign out front? It's close to the one pillar. It's a pillar of when you're walking towards the parish house, the one on the right hand side, there's a white. [off mic]

**Reverend Gene:** [off mic] [multiple speakers].

**Mary Holden:** We're mindful of what the committee came back with. And we would love to come up with something that we can resolve this and everybody be happy. And we think this little sign will accomplish that. It certainly reduces the size, reduces the impact on the transom. And we think it's big enough for people to see, so long as they're not speeding, they should be able to see it.

**Bridge Littleton:** Well this is Middleburg. There's no guarantees of that.

**Philip Miller:** So I was going to say, I'm just looking at Google Street view of it right now. And I think the boxwood that you're talking about, the sign that you have currently.

**Reverend Gene:** [off mic]

**Philip Miller:** I would think you'd be able to see it more than the current sign if it's hanging perpendicularly. Not unlike the sign in front of the church. [off mic]

**Bridge Littleton:** So as you guys, as you all can tell, this is very, very difficult for the town and for the council. Right. I mean, we absolutely want to be as accommodating as possible to help everybody adequately, you know, help people get to their facilities and to demonstrate in a very classy and professional way. And I, you know, thank god I'm not on the HDRC. But personally, you know, just as a sign is by itself, forget where it is in a building. I think it looks very nice. But outside of that, you know, the one thing I think it is important for us to recognize as well as you know, we had these specific committees set up to represent the town and try to represent the full equities of everybody in the town based by the guidelines and the stuff that we do, we publish and say, what the guidelines are and I get it right. This is a town with a lot of quirks and a lot of nooks and a lot of crannies and everything's not

always going to fit into the exact same box. And that's actually that's life, right? That's absolutely life. So I think what's very, very important for us as a body is, you know, we ask these folks to represent the town. They get training. They spend a lot of hours and a lot of time really focusing in deep and trying to understand what's best for everybody. And we're very lucky. Whether it's on planning commission or HDRC or streetscape I know I'm missing ten other committees. They really do work very, very hard. And they get paid so much money to do it. You know, to try to do what's best. And I you know, I'm very thankful that we have them because we wouldn't be where we are today. And so, you know, the only reason I say that is for, you know, the broader community to recognize that, you know. And I was on the planning commission. People really do sweat over these details to try to figure out the right solution that will work for the applicant, but then also work for the broader community at large. So I don't know why I just went on a soliloquy about that. But while I was on planning commission on me, you know, you get these hard applications and those folks, the ones who actually had to get in and sweat the details and figure it out. So I do appreciate that. So is there any other input or questions or thoughts from the council. Oh Philip.

**Philip Miller:** Did we ever find out if we've ever overturned a decision? I know it's been so long that it's before paper records have been kept, but.

**Bill Turnure:** My memory serves that you didn't. [off mic]

**Cindy Pearson:** Was that a historical building? [multiple speakers]

**Bridge Littleton:** God that building has been there 20 years. [off mic] Ok. Any other thoughts or questions from council. Any other last thoughts or input from anybody.

**Mary Holden:** We would really like to go, if not with this sign, we would really like to go with the little sign so we can move forward. And if not, then I guess we start all over again for the little sign?

**Bridge Littleton:** Well, I think so. Will, correct me if I'm wrong or Cindy has the HDRC and Bill adjudicated the little sign at all.

**Bill Turnure:** [off mic]

**Bridge Littleton:** And what was the feeling there.

**Bill Turnure:** [off mic]

**Bridge Littleton:** Let me ask the question then. Because, you know, to Will's point, it is you wanna make sure we do the process the right way, too. From an HDRC perspective, you I mean, I understand you talked about it, but you didn't actually adjudicate the smaller sign formally. [off mic] Oh, they did. Oh, OK. OK. So they did. So so that when you all took the boat, it was the bigger side and the smaller signs are not.

**Will Moore:** [off mic]

**Bridge Littleton:** Oh, right. Okay. I see it. I see it.

**Will Moore:** [off mic]

**Bridge Littleton:** Ok. Okay. All right. That's why I want to make sure of it. Because if it hadn't, then, you know, that's an option that it really should go through the right process. But you guys did take a look at that. Ok. Any other thoughts or input?

**Cindy Pearson:** One thought.

**Bridge Littleton:** And then we're going to vote.

**Cindy Pearson:** Yep. If for some reason council. I mean, however, council votes. But if we still disapprove of these two signs, is there some way through the town that we can give the committee help on, I'm not gonna say designing, but help with ideas to design a sign that would be more appropriate. Is that something we do?

**Will Moore:** [off mic]

**Bill Turnure:** [off mic]

**Bridge Littleton:** Like I said, it's me with art. You don't want me touching it. [off mic] Get booted downstairs. Thank you. Thank you, Bill. Appreciate it. Okay. One last call from council. If any other questions? Yes.

**Peter Leonard-Morgan:** If we're going to vote on this, I think it should be also on the two sides, not just blanket no or blanket yes. Right.

**Bridge Littleton:** I mean, it can. Well, I mean, I guess it can be. Well, you know, let's just take a pulse from a council perspective. Right. Where does everybody sort of sit on you know that. Let's just call it the nature of the sign being hanging from the front porch, whether they are the small one which HDRC reviewed. Or is it just needs to be something that's in conformance with the guidelines?

**Peter Leonard-Morgan:** Well, I think that the problem I'm having is that some having looked at the other photographs of different signs and and the two sized examples here, that the smaller one it's obscuring the transom a little bit. But is it really that bad? What are we trying to achieve here? You know, we want to ensure that we have a conformity with the sign regulations, but we also want to, you know, do the right thing for our stakeholders. [off mic]

**Cindy Pearson:** Once again with those, when you're taking this picture and you're standing on here and you're looking up. It's a different view from when you're out on the road driving by.

**Reverend Gene:** [off mic]

**Philip Miller:** Will, if we whichever way we vote this this is the end of this application for one way or the other, right. It's either approved or it's dead.

**Will Moore:** [off mic]

**Darlene Kirk:** We're not voting on the sign, per say we're voting on the HDRC., whether we back that or yeah.

**Bridge Littleton:** Right. Exactly. It's did they not do an adequate job in reviewing and approving the application. [off mic] Right. Right. Exactly. Did they, as your letter said, did they act in an arbitrary and capricious manner in following through with what they're charged to do on behalf of the town? That's the question. Yes. All right. I tell you what, I think we're. [inaudible] I think we do want to go ahead and move on this. You know, for a vote. So I think what we'll do is we'll do a straw vote right now because then we have to read the appropriate motion on here that reflects what that looks like. So who is and again, this is not the official vote, but who is in favor of upholding the HDRC decision?

**Peter Leonard-Morgan:** I'm in favor of upholding the HDRC decision.

**Bridge Littleton:** OK. Cindy.

**Cindy Pearson:** [off mic]

**Bridge Littleton:** Peter, Philip, I'm sorry, Chris, Bud.

**Bud Jacobs:** Yes, I'm in favor of affirming the HDRC decision.

**Bridge Littleton:** Ok. So with that, then there what would be the. Because there's three options in here. Is that it? OK.

**Philip Miller:** I move that council affirm the decision of the historic district review committee to deny COA-19-36 for a hanging sign at 105 East Washington and disapprove the sign for the following reasons. The sign is an inappropriate scale for the building, given the arrangement and relative size. The sign is in an inappropriate location hanging down from the porch, which blocks from public view some of the historical details at the entrance of the parish house. And the sign conceals from public view the historic fenestration of the parish house and is therefore not compatible with the structure.

**Peter Leonard-Morgan:** Second.

**Bridge Littleton:** Sorry. Any discussion? The only thing I want to say is we really do appreciate everybody showing up and going through the process. It's never fun. It's never enjoyable, trust me on this side of the aisle. We would love to say, oh, absolutely let's just go do it. But, you know, we do ask these folks to do the best interest of the town. And we really want to make sure that we rely on them and that they can rely on us when they do the hard work to make sure it happens. Right. That we're respectful of that. From my perspective, I think from the council's perspective, you know, and we do whatever we need to do from a staff support viewpoint to help you all come up with what makes what what checks the boxes and makes and helps you all achieve your goals, but make sure it stays in conformance of the guidelines. I mean, we're I would say, directing staff to absolutely do that. As you know, as collaboratively as possible with the church. [off mic]

**Philip Miller:** We want you to have a beautiful, effective sign. [off mic]

**Bridge Littleton:** Sorry, that was what public comment was for sure.

**Vivian Warren:** [off mic]

**Rhonda North:** Mr. Mayor. Could we get her to state her name for the record?

**Bridge Littleton:** Yeah. Sorry, Vivian if you don't mind, state your name. It's gotta be on the record.

**Vivian Warren:** My name is Vivian Warren and I'm Perisher Emmanuel Episcopal Church.

**Bridge Littleton:** Thank you. Any other comments before we vote?

**Peter Leonard-Morgan:** Yeah. Ms. Warren just in comment to that. There is quite a detailed booklet on all the guidelines. In fact, it's currently being I think in the process of being updated because it's probably that 30 years old or something like that. So it's actually a quaint book. Maybe.

**Vivian Warren:** Who knows?

**Peter Leonard-Morgan:** Well, that's what I was going to say. I think it's the communication thing, you know. I know if you come in here, they tell you about it. But other than that, there's no. It's on the website. Yeah.

**Bridge Littleton:** But no, to your point. I mean and actually one of the things and this is now a complete aside and we have even voted yet. But one of the things we are working on is sort of like a guidebook to Middleburg. If you're going to do a sign, you're going to do this, you're gonna do that. There's not the answers, but it's where you can go. So where's Jamie? And he's got the dot for it. [off mic] Yeah, exactly. Okay. Any other input? Bud.

**Bud Jacobs:** I'm ready to vote.

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

**Everyone:** Aye.

**Bridge Littleton:** Opposed, abstentions. OK. Again, thank you all very much. [off mic] [multiple speakers]

**Rhonda North:** Council Member Jacobs, are you going to continue with the meeting?

**Bud Jacobs:** Ah, no, I don't think. There are no more votes to be taken are there?

**Rhonda North:** Well, we do have some other action items.

**Bud Jacobs:** I'm looking at the agenda. The Asbury Church Bell is that something that's going to be voted on.

**Rhonda North:** Yeah.

**Bud Jacobs:** The appointment of our finance director.

**Rhonda North:** Yes. The appointment of the town Treasurer, Asbury Church Bell, farmer's market contract and water tank maintenance contractor all votes.

**Bud Jacobs:** All right. Can I vote aye on all of them?

**Rhonda North:** Only if you stay on the phone and go through the process.

**Bud Jacobs:** Oh, God. Well, I'm starving. But I'll stay on the phone.

**Rhonda North:** Okay. [off mic]

**Bridge Littleton:** Okay. Next item is staff reports.

**Danny Davis:** Thank you, Mr. Mayor. I'll be very brief, but then I'm happy to answer any questions that you might have. A number of you. [off mic]. Bring it. No. These items are reliant upon the town's engineer, and we are working together to get Mr. [Inaudible] or a member of his team out here. So that would affect the review of Pinkney Street. The review of the town maintenance building. It would also affect some of our other activities within the town that are not on this list, but they're just daily, perhaps drainage issues or other things that we need some insight on from an engineering perspective. So I just wanted to give that brief update. The wayfinding program is obviously a separate item on the agenda, so I won't cover that right now. Tin Court is one that we intend to pave at the same time as Pinckney. There may be an opportunity to perhaps do that ahead of time. We do have to repair some pavement on Route 50 where the water main break occurred at 704 West Washington. Maybe there's a way to combine those. But again, depending on getting the right paving company and in the right scope of work together. The Laserfiche is going very smoothly. In fact, we have all the documents and we're using it in a very informal way now. But I will tell you that it's very effective in searching and finding old documents with a quick search. And again, we'll continue, I'll say Rhonda put a lot of blood, sweat and tears into that one.

**Bridge Littleton:** Look at her holding back that smile. [multiple speakers]

**Rhonda North:** I'll be so happy when it's finished.

**Bridge Littleton:** And well, but I think the amazing thing is the indexing. Yeah. I mean, you put in a search term and you can search every line of every document.

**Philip Miller:** We'll probably be able to find that HDRC decision.

**Danny Davis:** And then for us, it's obviously training on the business practices to make sure that then all paper coming in the building gets scanned into Laserfiche and we have the right workflows and we're working through that in training. I will say no status updates on the potential municipal parking lot. I can continue to update you off-line on that. And then really the big one, the RFP for waste disposal services is such an amazing effort. We had four companies show up at the pre bid conference and while it is unique and is different than what they're used to. I do believe we're going to come in and have a result of successful outcomes here and get bids in proposals excuse me, that will assist all of the towns in this process. So I'm appreciative of the mayor and council pushing this as a joint effort and then as well the other towns joining in. And it's great that we're able to take the lead on it.

**Bridge Littleton:** I just want to say. I am ecstatic at how this process has, you know, really.

**Danny Davis:** She wrote down when you said the word is ecstatic.

**Rhonda North:** I did.

**Bridge Littleton:** I didn't say Rhonda first, but no I am honestly ecstatic about how this process has worked out. And all the towns, you know, binding together, except for Leesburg to, you know, really try to have a collective benefit. It's awesome. So you guys have done a great job.

**Chris Bernard:** [off mic]

**Rhonda North:** And Mr. Mayor, we even had another town that's not participating at our pre bid conference. They're watching us. No, they're watching us. Berryville We had two representatives from Berryville present. They're watching to see how our process works.

**Bridge Littleton:** Yeah, that's great. Okay.

**Danny Davis:** So, I'm happy to take any questions on any of these projects, right on time. Yeah.

**Bridge Littleton:** Any questions for Danny or staff on the projects status. Bud.

**Bud Jacobs:** No questions.

**Bridge Littleton:** Darlene.

**Darlene Kirk:** When are you anticipating beginning your search for or interviewing for a front desk assistant?

**Danny Davis:** I've been conducting preliminary phone interviews at the moment and intend to hope to have in-person interviews either later next week or the following week.

**Bridge Littleton:** Any other questions for Will or staff. Ok, moving on to the next item. Any reports from town committees or council liaisons? Mr. Daly. Hold on, hold on.

**Kevin Daly:** Ok, I'll keep it short. This also involves Jamie. The other night I met with a group of citizens that are forming a committee, if you will, and brainstorming, let's say Christmas in the Burg would be the title and it would be incorporated in fall into Cultural and Community Events Committee. But this was started by Duane and Cindy Ellis and also included Susan Orbitz Marianne Burns at the Old Ox and [Inaudible]. And the discussion was, how do we continue the momentum and build on the synergism that starts out with the first weekend in December with the Middleburg Christmas parade, which is huge with the following weekends to add something more to keep that momentum going. Incorporating and de-conflicting events, for example, we have events on the 20th and 12th respectively by the arts at the Emmanuel Parish House that may be a Celtic Christmas, which would be on a Sunday.



The previous Sunday, it would be a concert at the Methodist Church. Tom [Inaudible] is so involved with the possibility of having strolling carolers so that we have events that people come out to see not just one time in December, but to spread out through the weeks of December leading up to Christmas.

**Darlene Kirk:** We used to do the strolling carolers and we also used to do some of the churches would do like a hay ride through the town and with carolers in the hay ride. And that was always nice.

**Kevin Daly:** And that's part of the brainstorm and part of the brainstorming that's occurring right now. They want to now start reorganizing. But I really feel they at this point to organize, get those line and block charts, those squares and lines and incorporate into the cultural and community events center with the I can act as Council liaison. And of course, it would be pinned on Jamie's capable chest and shoulders to carry on the big work.

**Bridge Littleton:** You'll do the mini village construction.

**Kevin Daly:** Yes. Okay, good. 1:48 scale.

**Danny Davis:** Mr. Mayor, what I do appreciate about this effort is it really is organic. You know, it's coming from the businesses from those who see that they can work together to benefit the town and the season. I know it's something that Punkin with MBPA as has mentioned for years, about how we tried to do a better job capturing the entire month of December, not just the parade. Let that be a great kickoff. And so I'm grateful for we had like three different people approach us kind of at the same time with the same idea. So instead of going down multiple tracks, we put them all in the room together. And then thanks to Jamie and Kevin that it's moving forward.

**Philip Miller:** So I see someone shaking their head that the parade is the kickoff. It's probably the night before that.

**Danny Davis:** I apologize. It all blends together. It's all one event.

**Kevin Daly:** And I did pronounce the name correctly. [off mic] New glasses.

**Bridge Littleton:** [Inaudible] not Orbitz. That's a website to buy plane tickets. Ok. [off mic] Any other reports from town committees or council liaisons?

**Darlene Kirk:** I would just say be sure that they work with the whole committee because we don't want to have a whole lot of something start. And then they come to the cultural committee and the committee [off mic]. So make sure they work directly.

**Bridge Littleton:** I know you guys are the whole darn committee. Okay. Anything else for anybody? Okay, great. Next, we will go to action items. First one is the appointment of a town treasurer. How about that? Hold on. I think we'd like to have our potential appointed town treasurer come up. So everybody can meet her. [off mic] I have, but they haven't. You've been hogging all the limelight.

**Darlene Kirk:** You know how I am. We have an outstanding young woman that we would love for you all to meet. Julie is.

**Bridge Littleton:** And appoint.

**Darlene Kirk:** And appoint. Julie's very interested in coming to work for us as our treasurer. She's got a great personality. She's got all the where is my notes. [inaudible]

**Peter Leonard-Morgan:** And Julie, do you still feel the same way after?

**Julia Rivard:** Absolutely.

**Philip Miller:** So you're not real fond of Thursday nights.

**Julia Rivard:** I'm OK.

**Darlene Kirk:** Ok. She's worked for 13 years as a business tax auditor. She's from Harpers Ferry. She is good with setting plans and deadlines. She likes deadlines. She's one of the things that she said that stuck with me. She said little interruptions don't throw her off. [multiple speakers] She says she likes working in smaller offices because it keeps things interesting. Everybody works together and we look forward to having her on board and we look forward to [inaudible]. She's great.

**Bridge Littleton:** Julie, thank you very much. We really appreciate you coming in and putting yourself in front of the firing squad. Okay. Now the grilling really begins. No.

**Kevin Daly:** Were you ever a member of the Lincoln Brigade?

**Julie Rivard:** No.

**Bridge Littleton:** Good answer. Danny do you have any input?

**Danny Davis:** I would just say we're really excited to have Julie join us because she brings experience. She worked for Jefferson County, right, [inaudible] or Berkeley County. I get the counties up there mix up, but.

**Bridge Littleton:** It's West Virginia.

**Danny Davis:** But I think the value there is is understanding and dealing with taxes and understanding dealing with the public. And she's demonstrated clearly a very great sense of listening to people and being able to understand their concerns and their needs. And then finding resolution, and as we all know, the Treasurer, that job is very, very challenging in some ways because you're dealing with the public and utility bills and the other issues. And yet also her experience in long term planning of capital facilities and revenue projections and being able to also bring the expertise of business tax auditing, which we all know we can benefit from in all of our taxes, not just in the business licenses. So all of those come together and then we think she's just a great fit for our organization as well. So we're quite excited.

**Bridge Littleton:** And I will say real quickly, the reason I made fun of West Virginia is because I found out something today that absolutely incenses me. Did you hear about this? The state legislature passed a law. It's been signed into law that localities no longer have zoning authority. All zoning in West Virginia is going to be done at the state level. [off mic]

**Julie Rivard:** Not all parts. It has to be voted in by referendum in West Virginia by the jurisdiction.

**Bridge Littleton:** Will, sounds like you might have a challenger here. Ok. Again, Julie, thank you very much for coming to the town of Middleburg. Is there a motion?

**Darlene Kirk:** I move that the town council accept the resignation of John O'Neill as interim town treasurer. The point, Julie. Is it Rivard. As the town treasurer and name Danny Davis as deputy town treasurer with all rights and responsibilities to conduct business as the treasurer of the town of Middleburg in her absence effective March 9, 2020.

**Kevin Daly:** Second.

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

**Everyone:** Aye.

**Bridge Littleton:** Opposed abstentions. Okay. Welcome aboard. [applause]

**Julie Rivard:** I'm very excited.

**Bridge Littleton:** Now that you're the town treasurer. I found nine errors in the budget. [laughter] How did you let those in. [off mic]

**Bud Jacobs:** Mr. Mayor?

**Bridge Littleton:** Yes, sir.

**Bud Jacobs:** Have you discussed with our new treasurer the initiation ceremony?

**Bridge Littleton:** She'll find that out at 1:00 a.m. tonight. [laughter] [off mic] Yeah, yeah, right. Exactly. [off mic]

**Bud Jacobs:** No comment.

**Bridge Littleton:** Ok. Next. Julie, thank you very much. Next item is the loan of the Asbury Church bell to the Middleburg Museum. I know we've discussed this a couple times.

**Darlene Kirk:** I'll make a motion.

**Bridge Littleton:** OK.

**Darlene Kirk:** I move that the town council approved the permanent loan of the Asbury Church bell to the Middleburg Museum as shown in the Middleburg Museum incoming loan agreement form.

**Kevin Daly:** Second.

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

**Everyone:** Aye.

**Bridge Littleton:** Opposed, abstentions. Quiet in the back. [laughter] [inaudible] Old Ox is open. Go ahead. Okay. Farmer's market contract. Mr. Gaucher. [inaudible]

**Jamie Gaucher:** Mr. Mayor and Members Council, since last fall, we've been looking for a better path and a better solution to the farmer's market here in Middleburg. Consequently, I reached out to several communities and several entities that manage the farmers markets within the region and I was able to find some common ground, I guess. So a mutually beneficial space with Loudoun Valley homegrown markets cooperative. And Don and Ruth Owens, husband and wife are both also employees of the LVHMC [off mic] The co-op. These guys manage markets, farmers markets in other communities across the county. And they're very connected to farmers and the food communities, not only here, but regionally. And their mission. I want to read this. Their mission is to promote local sustainable and organic agriculture, to increase economic opportunities for farmers and small food businesses, to offer experiential learning about the access to healthy local foods and to build a vibrant gathering place for residents and visitors. And I was very attracted to that. And I think that fits with what we're hoping to do with our farmer's market here in Middleburg. So after several rounds of conversations collaboratively and some members of council have participated in those conversations, we've refined our framework that I think works for the town and hopefully also works for the co-op. And I just want a list, several aspects of that framework. First of all, the fact that it would be a commitment of two or three years, given the fact that this is going to take a little bit of time, it's not going to happen overnight. Another aspect would be the fact that there would be a new mix of vendors, not only an increase in number but an increase in diversity. These guys will talk in a few seconds here about a focus strategic marketing

effort connected to the Middleburg market. We really haven't had that in the past. We would have a dedicated manager for the Middleburg market. Something called a community table is part of the idea of a refresh market here in Middleburg. You guys can talk about that. And then lastly, limited financial assistance from the town to help the vendors transition to a slightly different business model. And we'll talk about what that is. So Don and Ruth and I are here to answer any questions that you might have. And hopefully at the end of this conversation, we can gain authority to develop a formal contract or an agreement with the co-op and have them start managing the Middleburg market here for us.

**Bridge Littleton:** So, OK, so I'm a little confused. Are you. Is the plan to come back with an actual proposal for us to look at? Or are you asking us to give you authority to enter into a contract? I just heard you ask us to give you authority to sign a contract. But like, what are the dates? Where's it gonna be? How many people do expect to have come? What are the hours going to be? Is it going to be Saturday, Sunday? You know, I don't know if we're going to be comfortable giving you authority on signing a contract without understanding those details.

**Danny Davis:** And that's a question for how involved in detail does council want to get? And I think that's a decision for council. We have been operating with the intent and I think general feeling that we want to make the market grow and have more diversity and have more vibrancy. And so we've been looking at alternatives. We're also, though, coming up to a very time crunch in terms of needing to move forward. So I would to your question, I would say if council feels that you need to be engaged in those specific conversations, then we by all means can work with the co-op and the group on a formal proposal. And what that looks like in terms of timeline and what investment specifically from the town or if council is generally okay enough with saying we think they the group has the experience and the capability to move this forward. And then let us work out the final details of that. I have programs to certain funding in the budget as a placeholder, not saying council's obligated to approve that or to spend up to those funds. But in terms of moving forward, we also understand that we are at nearly March 1st and wanting to try to get things together. So we're open to council's direction on that. But our goal was potentially being able to allow us to get started sooner rather than later.

**Bridge Littleton:** Darlene.

**Darlene Kirk:** Ok. It's the same group that we talked to at the committee. OK. And I thought we were going to get a proposal for them because we at one of the things that the group had talked about, cultural group, they wanted to close down South Madison and that's never been. So we need to know the day and we don't want to get into the nitty gritty of it, but we do need to know some basics like where and what day.

**Jamie Gaucher:** We are not intending to close down South Madison Street, we are intending to have the market in the location where it is right now. And we're intending additionally to keep it on the same day and same hours.

**Danny Davis:** Again, I would agree with Mr. Gaucher, unless council feels otherwise, which I've gotten the sense and the reaction from council that moving it to South Madison Street at this time is not ideal or preferred. And that was while there may have been a recommendation from the Cultural Events Committee to say that that is something worth pursuing. I will also let you know that considering potential alternatives with a new town administration building and what that might open up for public spaces our desire would be to not bounce the market around multiple times, but to leave it where it is, let it begin to grow now and when the opportunity arises. And if that presents itself with a green space, public space, open space that can accommodate something like this, then move it one last time and let that be the focal point as a piece of land that's seen as a potentially town green or square type area.

**Bridge Littleton:** So any other. Let's hear from council. What are you guys thoughts on authorizing a contract?

**Cindy Pearson:** One of my concerns is we do need to have that funding because the market, as it has run, as you all know, it's been part of what I did for many, many years. We did not charge a percentage. I understand why they do. And it works. I mean, it works well. But in what the committee was suggesting is what those funds that we help the vendors or at least the existing vendors that they return with funds offset that amount in some way. I don't know how

that's going to work. The other thing I'd like to say is years years ago, when the market first started, as we know, Sally Bolton took over the market, she did a really good job. She's all we know, Sally. Everybody does. She was passionate about what she did and what she grew. She had conflict with other markets because she wanted to run the way she wanted it run. I can't say it any other way. That's basically it. And we have a vendor that we have used ever since that happened, that will not be able to continue with us when this market takes over. I understand it. It, you know, pulls my heartstrings a little bit, but I totally get where they're coming from. I think going with them is going to make a good break and let the market grow and be a success here in town, because I think we have the people and the draw and the the amount of people that are in town on a Saturday and to see what they're going to do with that market. Yes. It will take three years to get there, which it takes anything, three years to grow. I think everybody will be pleased with it. So and I think keeping, I agree with the location, keeping it where it is until that other option becomes open, because when we moved it from the back street, you know, we moved it a couple times. People hated it when you move it. So I think I think there'll be a really good fit for the town.

**Peter Leonard-Morgan:** Yes. We've met before. Thanks for coming again. Great to see you guys. I think that to take it to the next step to be really professional is really important for the farmers market, the farmers market is part of the fabric of any town and certainly of Middleburg. So I know that you had some questions when we met some couple of months ago about the viability for you. So I can't wait to hear from you in a moment as well about your latest thoughts on that. But I'm very supportive of this.

**Chris Bernard:** So I kind of echo those sentiments. I think it's great. I think there's a lot of potential. I think the farmer's market needs to grow. I'm glad you guys came out. It seems like we're having a conversation about some sort of future proposal. So more than happy to hear what your guys thoughts are. But I don't know what we're talking about until we have something to talk about. So I know we need to do it quickly.

**Danny Davis:** Yeah. Know I got that in. I'll put it this way. We received information subsequent to what was provided in the packet here, but it was not a proposal per say that it was ready to bring to your attention. So that's just we didn't feel like we had anything that was at this point ready to put in front of you that would have informed the discussion any better than having this conversation right now. Now, I do think they would be able to share with you some of the general specifics of how the markets do run, which may be helpful for you to hear. Some of us heard this already at the Community Events Committee. So I realize some of us are operating with a little bit of that perspective that not everyone else has heard. And Mr. Mayor, if.

**Philip Miller:** I mean, I certainly think that the farmer's market is important. I think everybody probably knows that and I'm obviously a staple on there every Saturday. But I agree. I think we need to see a proposal, especially if we're talking about a three year long term commitment. I think this is the right way to go. I just think we all need to have a mindful look at it before we can go ahead and say that this is something that we're comfortable with in this direction. And the metrics that we're using to measure the success of the market growing over these over that term makes sense for Middleburg, especially as we get into the potential of a new location.

**Bud Jacobs:** [inaudible]

**Bridge Littleton:** That was Phil, Yeah, yeah.

**Bud Jacobs:** [inaudible]

**Bridge Littleton:** So if I'm catching everybody's perspectives real quickly and then by all means, we want to hear from you guys what your vision is. I don't think we're in a position to give you a vote tonight to say, yeah, go do whatever kind of contract you want to do. I don't think we want to get into the weeds of telling you what that proposal should look like. I think that's what you guys need to do and put together. I mean, it'll probably be on one sheet of paper, you know, hey, every Saturday from 6 to midnight or whatever. Right. I mean. Yeah. Bands, beer or whatever, you know. But and I think everybody here is fully supportive of the farmer's market and wanting it to happen and all that kind of stuff. But to actually enter into a to a contractual relationship with dollars and cents and commitments and stuff like that, we have to actually have something just to look at. By no means do you want us to

help you make the sausage. So, you know, I have full faith that whatever you guys bring probably will look at and go, yep, that's great. So but be that as it may, we would love to hear from you guys about what your thoughts and vision are from your perspective and experience on what Middleburg's Farmers Market could be.

**Don Owens:** First of all, I'd like to address the location changes that we were discussing a minute ago. And the reason being that we started a market, one of our newest markets. We started three years ago. The first year we were on a street right next to a breakfast restaurant.

And part way through that season I was speaking to the manager of the breakfast restaurant and I said, the people you draw in are doing great things for the farmer's market. And he said, oh, I thought it was the people you were drawing in and that were helping. So it was really a give and take thing. That was it was really working well. But the community that we're in, which is Loudoun's Station over at the new metro station, they were starting to build some new residential and they needed their street back. So they moved us and they changed the day. So we had two changes in one year. Nobody knew we were there anymore. And our customer accounts and everything just took a dive. We lost vendors. We lost customers. Third, third year, we changed again. [off mic] So I totally understand the location change. The second thing I'd like to say about location is that visibility is tantamount to success. The more that people see you, if you're in a location where you can't be seen, your largest percent of customers are you're going to be your weekly returning customers, the unintended customers, which are those who are coming into town and go, oh, what's that going on over there? And come down the street to see the tents and all that kind of stuff. They're going to add quite a bit to because of your traffic that's coming through town all the time. That's going to add quite a bit to the number of people. [off mic] So that's just something to consider. [off mic] Regarding our markets themselves, we're 27 years old. Our oldest market is in Leesburg. And in the summertime, we have she'll talk more about these 50 vendors. We get about 2200 customers through there on our best day. It's sometimes you can barely move walking through the.. And one thing that one of the first things we would want to do is learn as much about the town as we can, the events that are going on. The stores that are here, the people that are running the different businesses. So we get to know them and how we can work with them to make the markets more successful. And actually sometimes promote some of those businesses through our farmer's markets, because in that way, everybody has more success. And we'd also want to learn about the town events like you were talking about the Christmas parade. If there's other events that go on during the summer and everything that we can become involved in and become part of those events, then we'll be able to promote your event [off mic] So did you want to talk about vendors and.

**Ruth Owen:** Well, so I'm not sure all of you are familiar with the cooperative itself. It's a member driven board run volunteer board run organization. Like Don said, it's been around since 94 all of our vendors, basically own the market. [off mic] We do have a certain percentage of farm and agricultural based vendors to value added. So they may try to keep to that because it's very important to promote the agriculture in Loudoun County and within one hundred and twenty five mile radius of the market. So that being said, they're very passionate about what they do and they're very purposeful in the decisions that they make in allowing the vendors. We just went through our vendor application process for our two main markets are Leesburg market and our Cascades market, which is about twenty five years old. Everybody wants to get into Leesburg, so we have quite a base of vendors that we could pull from to try and get them here. If that is needed. The cooperative is also a not for profit. So we're not in this to make money. We're in it to cover our costs and make sure that our vendors, especially our farm vendors and small businesses, are able to thrive.

**Don Owen:** If we don't use all the funding during the year for marketing and signage and putting out the newsletters we write every week and all that kind of stuff. We have money left over at the end of the year. It does get returned to the vendors. From what they've paid in. So it doesn't always happen because we don't always have money. But, you know, we try to get to that point.

**Bridge Littleton:** So any other questions or thoughts or input?

**Peter Leonard-Morgan:** I think I know the answer from our meeting, but I wonder if you could just remind us about how it works financially for the vendors, what it costs them.

**Ruth Owen:** Ok. So typically our market fees are twenty five dollars per month. Ok. For the market season. So if it's May through October, so that's \$150. That is invoiced at the beginning of the season so that we have money to run the markets [inaudible]. There's also a \$25 membership fee that's charged at the beginning and it's an annual membership. And then we require three percent of sales, which is, you know, if it works out to be about \$14 a day. And if they make two hundred dollars' worth of sales over the course of the season. It also happens to be one of the lowest market fees in the area. So we because it is a not for profit. We're not in it to make money.

**Cindy Pearson:** But in saying that you pay the manager out of that so you have a manager for your market.

**Ruth Owen:** And we also use software. So we use the software called Manage My Market in order to try to manage all of the markets and the sales and that kind of thing. We have a bookkeeper and Don and I are paid part time. I'm the market coordinator and Don is the outreach coordinator. So I handle all of the administrative work that's involved with getting applications ready, vetting, making sure vendors are reporting [inaudible]

**Don Owen:** Plus, we do inspections of the vendors and the like. I think you mentioned insurance other things we pay for things like we have a subscription to MailChimp because I write a newsletter every week. And if you all don't have something like that going out to customers out here, we will start collecting e-mail addresses from customers that come through. Start building a database and send out newsletters and things to customers all the time so they know what's going on. We'll promote the vendors like right now in our markets. I just put together these things called [inaudible] forums to send out to vendors asking them if they have any job openings for the year on their farms, in their shops, at the market, that they're going to need help in the upcoming year. And also to find out vendors have any CSA is if you don't know what a CSA is, it's community supported agriculture where customers can buy a share of the farmer's produce or whatever for the coming year. They might pay 350 or 400 dollars upfront so that the farmer can buy seeds and other things they need during the year. And they already have their share of produce coming to them and they get the best of the best coming off the farm. Plus they get updates from farmers as to what's going on on the farm. So anyway, I put these job forms together, sent them out to vendors and say do you have CSAs? Do you have job openings coming up? So they could tell us. I could take all that information, put it on our web site and in our newsletters. So the customers who are out there are going to farmer's markets and they love them can apply for one of the jobs. They know the CSAs are coming up. So this is the type of thing we do to help the vendors and let the customers know what's going on so they are more interested in the markets. We like to stay active. We like to stay involved. Were we put out usually a couple surveys that our markets during the year asking people, why are you coming to the market? What do you want to see that's not at the market? You know, different things like that. And another thing we do is always put on activities for kids.

**Ruth Owen:** We have a market mascot in every single one of our markets. Kids actually, you know, when they find it [off mic] We have kids that come back every week just to do that with their parents. [off mic] [laughter]

**Don Owen:** So some things are planned long in advance. Other things just pop up, it's like last year. Leesburg after the World Series changed the name of Leesburg [inaudible]. Well, that weekend we changed the farmer's market to [Inaudible] Farmer's Market. We put up signage about it and we said that anybody that comes out to the market that week with Nats gear on is registered for a market basket. And we did a drawing to pick a couple market baskets and hand those out to people. And a few days ago I said, wait a minute, the 29th, which is a Saturday is leap day because it's the only 29th for four years. And so I put in the newsletter today and we're putting it on Facebook that anybody that comes to our market manager table this weekend with an I.D. with their birthdate on it that said February 29th, they get a free tote bag, a market tote bag that we have. [off mic] so we do little things like that just to keep it interesting.

**Bridge Littleton:** That's great. So I think the direction from council really would be, you know, get a proposal together, put it before us. I think everybody is going to be comfortable that you guys, you know, clearly know how to do these well. So I think we're excited to partner with you. If you guys need quicker. Oh, sorry. Yeah.

**Cindy Pearson:** Would the name of the market change or does it still become. [off mic] Oh, okay.

**Bridge Littleton:** So if you want to bring it back to the March 9th special meeting and we can do it first if you need extra time.

**Ruth Owen:** [off mic]

**Bridge Littleton:** Sure. So let's plan on doing that. So let's get. So I guess for Jamie, for Jamie, get a copy of the proposal to all the members of the council by no later than COB the 6th. And then we can all do a review of it. And if, does the Cultural Events Committee meet between now and then. No. Okay. And then we will review it and move on and act on it on the 9th. We're good with that. That works for you guys. [off mic] Thank you very much. We look forward to it. Ok, next item. Water tank maintenance.

**Danny Davis:** Very briefly, we did an RFP for tank maintenance services. We are continuing to work with actually are our current provider is the top proposer and we're continuing to negotiate the terms of that contract. So we are not prepared to bring that to you for final approval. The existing contract is an annual rolling contract. We had previously asked you to authorize me to terminate that if necessary. And essentially what I'm asking is that you authorize me to continue the contract as is as we negotiate the terms of the new contract, which is moving very well. They are working very well with us. And we have some new contacts that are very supportive in our needs and our effort. So that's my request.

**Philip Miller:** Can I make a motion? I move that town council authorized the town administrator to extend the contract with SUEZ/Utility Service Company Inc. And to continue discussions for amendments to the existing contract based on the RFP for water tank maintenance services.

**Kevin Daly:** Second.

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

**Everyone:** Aye.

**Bridge Littleton:** Opposed, abstentions.. Okay. Next item is the wayfinding. Mr. Moore or Estee? I'm sorry.

**Estee LaClare:** Yes. Good evening, Mr. Mayor and Council. We wanted to give you a brief update regarding the implementation of the Wayfinding project. Staff has discussed the wayfinding project with our prior consultant LPDA, and we're going to have another call next week with them as well. And we also reach out to Frazier and Associates. They helped to compile and write the VDPT manual back in 2017, which is currently in use. And we had a meeting with them and we're still discussing different options. And what we're looking at trying to do after we met with them. We believe the town should adjust and alter its overall approach to wayfinding. In particular we believe focusing in on a phased in approach, beginning with the design of Gateway's signs at the entrances to Middleburg, along with [inaudible] signs to parking lots, like I said parking lots, visitor's center, museums in town offices, along with creating pedestrian focused and friendly wayfinding and kiosks are much better. Way to get the visitors who we're trying to promote in a pedestrian friendly setting. We want to get them out walking our streets as opposed to the sign, that sign. And by doing this, Frazier made a lot of really good comments. Old town Alexandria implemented a lot of these plans and they're amazing little friendly kiosks. They can go up and they have all the information located with historical documentation, pictures. It's neat. So I have examples of that. If anybody's ever interested, I'm more than happy to share. So what we're looking for and I think.

**Philip Miller:** I'd actually like to see that.

**Estee LaClare:** Yeah, yeah, it's very cool. For council supported this direction on the wayfinding project with a more pedestrian friendly focused approach to signage. Additionally, the town recommends the council authorized staff to enter into a contract with Frazier and Associates for the Wayfinding program to implement this phased in approach. If we determine down the road the first phase, we need more than give us the option to do that as well. So I don't know if you have any questions.



**Danny Davis:** And if I can just add one quick thing. We have not asked them for a formal proposal. And so I get that we again something where perhaps you'd like us to come back with something more specific. They do have state contracts that are cooperatively procured so we can write those contracts. But happy to,

**Bridge Littleton:** Any questions for Estee or Estee?

**Philip Miller:** All of this falls under the budgeted amounts we think.

**Estee LaClare:** We believe so.

**Danny Davis:** Yes. This time, yes. So you know.

**Bridge Littleton:** So, yes.

**Danny Davis:** We don't.

**Philip Miller:** Come on, Danny, commit. [off mic]

**Danny Davis:** Well, we don't know is what the ultimate signage costs will be for certain aspects of this. But yes, for the design and putting the plan together. Yes, it does.

**Will Moore:** And just one point of clarification that Estee mentioned that we'll be continuing talking with LPDA who had worked previously. What we're planning on doing is the plan that they first established include wayfinding that are also included this very good desire of us to consolidate street signs. So instead of having a stop sign and a separate street name sign and a separate VDOT route number sign at many intersections getting those all in one sign posts. So what we intend to do is bifurcate that plan so the wayfinding moves on its own. The street sign replacement plan can move forward and we're confident continuing to work with LPDA on that. And that's a very low amount that does need to meet the threshold [off mic]

**Bridge Littleton:** Ok. Any other questions and emotions?

**Philip Miller:** I move that the town council authorized town administrator to enter into a contract with Frazier Associates based on cooperative procurement for the wayfinding program.

**Kevin Daly:** Second.

**Bridge Littleton:** Yes, ma'am.

**Darlene Kirk:** We had before picked out like sign colors, remember, and designs and [off mic].

**Estee LaClare:** And in fact, it was a pilot program. [off mic]

**Bridge Littleton:** Competition is a good thing. Did that answer your question? OK. So all those in favor say aye.

**Everyone:** Aye.

**Bridge Littleton:** Opposed, abstentions. All right. Motion carries. But how do we know it's really you in that room? [off mic] Yeah, I heard sneezing. Okay. Any other information items?

**Danny Davis:** Did you want to briefly go over the budget or you that one.

**Bridge Littleton:** Oh, God, I'm sorry. I even really know. [off mic] We'll do the budget then we'll break before we get into a closed session.

**Danny Davis:** My goal on the budget is is very briefly had a chance to meet with a few of you individually. And I appreciate that time to walk through the budget with you. I'm happy to continue those if others of you have questions or would like to. My goal today is just to say if there are any specific questions that you have as we prepare for the March 9th work session, I'd be happy to try to answer any of those I can right now or write those down and we'll bring those to you for the March 9th meeting. And then after your question, I'll give you an update on one other piece.

**Bridge Littleton:** Anybody other than Mr. Daly? No.

**Kevin Daly:** I'm speaking for Bud and myself. We attended one of these small sessions with Danny and we found it to be very informative. All of our questions were answered and we strongly recommend that other members of the council and mayor attend such meetings so that it then lessens the need for long winded dissertations when we have our special meeting on the 9th of March.

**Bridge Littleton:** I don't know if that's. [laughter] Oh, I don't know if that was a comment or rebuke or a praise. Hey, Kevin, look, he used half the sand on talking about talking less. [off mic] Exactly. What we're we talking about.

**Danny Davis:** So. All right. Sorry.

**Bridge Littleton:** Yeah. My only question was I know we talked about a couple of times, but again, I want to make sure everybody's comfortable as we get to each Council Member section with staff, partnering with them to be present when it comes at the March 9th meeting. Perfect.

**Danny Davis:** When we provide you the documents for March 9th, what I will have with the budget. I don't intend to change the budget document itself because that could get very confusing to have changes in pages, but to have a cover sheet, to show you individual changes that we're making as we go along, or that we're recommending, frankly, that you kind of endorse as we're going through the draft process. For instance, if revenue projections change was go ahead and capture that in our ongoing work session process, we had some reviews of a digital individual line, items that we realized needed to be increased by \$5000 or a reduction here. I'll capture those on a cover memo just so you have an idea of what those changes look like in the global picture of how that affects the budget on just a broad revenue side. I'm sorry, expenditures or revenue.

**Bridge Littleton:** Okay. And I think we're good. So it's now time for a closed session. So we will take a three minute recess. So, everybody, [off mic] No we'll recess, then we'll read it and we'll start. That's fine. But I mean, anybody who doesn't need to be here for the closed session can skedaddle. Ok Philip, you're the man.

**Philip Miller:** I move the council go into closed session as authorized under section 2.2-3711 of the Code of Virginia. For one, the discussion or consideration of the acquisition of property for a town administration building as allowed under subsection A 3 and 2 for the discussion, consideration or interviews of prospective candidates for appointment of specific public officers, appointees and employees of the public body as allowed under subsection, A1 for the purpose of discussing appointments to the Streetscape Committee and the Middleburg Arts Council. I further move that council thereafter reconvene in open session for action as appropriate.

**Darlene Kirk:** Second.

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

**Everyone:** Aye.

**Bridge Littleton:** Opposed, abstentions. Okay, we're in closed session. I ask the council certify to the best of each member's knowledge one only public business matters lawfully exempt from open meeting requirements under the Virginia Freedom of Information Act, and two only such public business matters were identified in the motion by which the closed meeting was conveyed, were heard, discussed, or considered in the closed meeting. I'd like to remind those present for the closed session that any discussion that occurred within it should be treated as confidential.

**Chris Bernard:** Yes.

**Philip Miller:** Yes.

**Darlene Kirk:** Yes.

**Bridge Littleton:** Yes.

**Peter Leonard-Morgan:** Yes.

**Cindy Pearson:** Yes.

**Kevin Daly:** Yes.

**Bridge Littleton:** Okay. Is there a motion?

**Peter Leonard-Morgan:** I move that council appoint Michael Kelly to the streetscape committee. I further move that council. Appoint [Inaudible] Burns to the Middleburg Arts Council, to fill an unexpired term said term to expire June 14th, 2022. I further move that council, appoint Valerie Peacock and Susan Pollard to the Arts Council to fill unexpired terms said terms to expire June the 14th, 2021.

**Cindy Pearson:** Second.

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

**Everyone:** Aye.

**Bridge Littleton:** Opposed abstentions. And the meeting is adjourned.