

MINUTES
PURCELLVILLE TOWN COUNCIL MEETING
TUESDAY, DECEMBER 14, 2021, 7:00 PM
TOWN HALL COUNCIL CHAMBERS

Meeting recording can be found at the following link: <https://purcellvilleva.new.swagit.com/videos/150426>

COUNCIL MEMBERS PRESENT:

Kwasi Fraser, Mayor
Christopher Bertaut, Vice Mayor
Tip Stinnette, Council Member
Stan Milan, Council Member
Joel Grewe, Council Member
Mary Jane Williams, Council Member
Erin Rayner, Council Member

STAFF PRESENT:

David Mekarski, Town Manager
Sally Hankins, Town Attorney
Jason Didawick, Director of Public Works
Dale Lehnig, Director of Engineering, Planning & Development
Don Dooley, Director of Planning and Economic Development
Paula Hicks, Accounting Manager
Amie Ware, Division Manager Parks and Recreation Department
Diana Hays, Town Clerk/Executive Assistant
Kimberly Bandy, Deputy Town of Clerk

STAFF PRESENT REMOTELY:

Hooper McCann, Director of Administration
Elizabeth Krens, Director of Finance
Sharon Rauch, Director of Human Resources
Connie LeMarr, Assistant Director of Finance
Deputy Chief Dave Dailey, Police Department

CALL TO ORDER:

Mayor Fraser called the meeting to order at 7:00 PM. The Pledge of Allegiance followed.

AMENDMENTS:

None

CONSENT AGENDA

- a.** Approval of Edited Meeting Minutes - October 26, 2021 Work Session
- b.** Approval of Meeting Minutes - November 9, 2021
- c.** Approval of Meeting Minutes - November 10, 2021 Special
- d.** Approval of Meeting Minutes - November 17, 2021 Special
- e.** Approval of Meeting Minutes - December 6, 2021 Special
- f.** Deeds of Easements

g. Reappoint Community Policing Advisory Committee Members - Christopher Baltimore and David Milam

Council member Grewe moved that the Purcellville Town Council approve the Consent Agenda, item 6a.- g., as presented in the December 14th, 2021 Town Council Meeting agenda packet.

(Carried: 7-0-0, Grewe: Aye, Bertaut: Aye, Stinnette: Aye, Williams: Aye, Milan: Aye, Rayner: Aye, Fraser: Aye)

PRESENTATIONS

a. FY 21 Comprehensive Annual Financial Report (CAFR)

Megan Argenbright, CPA, Brown Edwards gave the report.

b. Purcellville Bike Park Proposal

Michelle Caudill gave the report. Several citizens made comments.

c. Transmittal of 2021-005 Historic Preservation Overlay Zone

Chair Nan Forbes, Planning Commission, gave the report.

CITIZEN/BUSINESS COMMENTS

Adam Stevenson, 240 E Loudoun Valley Drive, made comment regarding page 85 of Comprehensive Plan point number 15 and obtaining a plan for a consultant on a Sustainability Plan.

MAYOR AND COUNCIL COMMENTS

Council members were given 3 minutes for comments.

ACTION ITEMS

a. Budget Appropriation for Zoning Ordinance Consultant and Approval of Professional Services Agreement for Zoning Ordinance Consultant

David Mekarski, Town Manager, gave the report. Sean Suder, ZoneCo, LLC Lead Principal, participated remotely and conversed with Town Council.

Council member Grewe requested ZoneCo possibly meet with Board of Architectural Review for an evaluation on a proposal of Architectural Design Standards. Council member Milan requested that this additional request does not deter from the original Professional Services Agreement with ZoneCo.

Council member Milan moved that the Town Council approve BA#22-010 authorizing the transfer of \$84,033 from the General Fund Reserves for the Zoning Ordinance Update. He further move that the Town Council authorize the Town Manager to execute the Professional Services Agreement with Zone Co., as attached to the staff report, in the amount of \$123,000.

(Carried: 7-0-0, Grewe: Aye, Bertaut: Aye, Stinnette: Aye, Williams: Aye, Milan: Aye, Rayner: Aye, Fraser: Aye)

b. ARPA Spending Plan Update and ARPA Funded Project Budget Amendments for a) New Finished Water Storage Tank, and b) Water Treatment Plant to Town Watermain Replacement

Hooper McCann, Director of Administration, gave the report.

Council member Stinnette moved the Town Council approve the following FY2022 Budget Amendments to appropriate funding from the Town of Purcellville's first tranche allocation of the American Rescue Plan Act Coronavirus State and Local Fiscal Recovery Funding:

- BA 22-012, in the amount of \$480,000, and defund the FY2022 budgeted funding of \$400,000 from future USDA loan, for the Water Treatment Plant to Town Watermain Replacement Project; furthermore,
- BA 22-013, in the amount of \$2,399,941 for the New Finished Water Storage Tank Project; and, finally,
- BA 22-014 in the amount of \$580,000, and defund the FY2022 budgeted funding of \$1,445,000 from future USDA loan, for the Hirst Reservoir Rehabilitation Project.

(**Carried: 7-0-0**, Grewe: Aye, Bertaut: Aye, Stinnette: Aye, Williams: Aye, Milan: Aye, Rayner: Aye, Fraser: Aye)

c. Budget Appropriation for Repositioning of Logos on Water Tower

Dale Lehnig, Director of Engineering, Planning & Development, gave the report.

Council member Grewe moved to table 10c. Budget Appropriation for Repositioning of Logos on Water Tower with no objections.

d. Town Participation in Settlement of Opioid-Related Claims

Sally Hankins, Town Attorney, gave the report.

Council member Grewe moved that the Town Council adopt Resolution 21-12-01, approving the Town's participation in the proposed settlement of opioid-related claims and directing the Town Attorney to execute the documents necessary to effectuate such participation.

(**Carried: 5-2-0**, Grewe: Aye, Bertaut: Nay, Stinnette: Aye, Williams: Aye, Milan: Nay, Rayner: Aye, Fraser: Aye)

e. Service Line Warranty Program

David Mekarski, Town Manager, gave the report. Jim Golden, representative Service Line Warranty Program, participated remotely to answer questions from Council.

Vice Mayor Bertaut moved that the Town Council authorize the Town Manager to proceed with the NLC (HomeServe) Service Line (water and wastewater) Warranty Program and execute the agreement as outlined by the National League of Cities, as presented in the Marketing Agreement included with this staff report, which does not include royalties to the Town (\$.50 per product per home per month)

(Carried: 7-0-0, Grewe: Aye, Bertaut: Aye, Stinnette: Aye, Williams: Aye, Milan: Aye, Rayner: Aye, Fraser: Aye)

DISCUSSION/INFORMATIONAL ITEMS

a. Town Manager's Top Ten Focus Area Alignment with Current Projects

David Mekarski, Town Manager, gave the report and that staff will be focusing on the Lumos Franchise Agreement. Council brought forth the question of adding the Bike Park to the Top Ten. After discussion, the item to "Appropriate funds and complete USDA application to complete dredging of the Hirst Reservoir and repair of stand pipe and valves, if not funded through ARPA" has been completed and removed from the list, and the Bike Park has been added to the Top Ten.

b. Renaming of Harry Byrd Highway

David Mekarski, Town Manager, gave the report. Council discussed the renaming of Harry Byrd Highway and by straw vote would like it to be considered being renamed to Billy Pierce Highway instead of Leesburg Pike. Staff will take the necessary steps going forward.

CLOSED MEETING

As authorized under Section 2.2-3711(A)(8) and Section 2.2-3711(A)(29) of the Code of Virginia, Council member Stinnette moved that the Town Council convene in a closed meeting to:

- 1) consult with legal counsel employed or retained by the public body regarding specific legal matters requiring the provision of legal advice by such counsel; and
- 2) discuss the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body. Specifically, the Council will receive legal advice and discuss the contract regarding the Water Supply Purchase Agreement for the Marsh Wells. The following individuals are requested to attend the closed meeting:

1. All Town Council members
2. David Mekarski, Town Manager
3. Sally Hankins, Town Attorney
4. Dale Lehnig, Director of Engineering, Planning & Development
5. Jason Didawick, Director of Public Works
7. Stacie Alter, Senior Hydrologist (absent)
6. Jamie Emery, Emery & Garrett Groundwater Investigations (remotely)

Council member Stinnette further moved that as authorized under Section 2.2-3711(A)(1) of the Code of Virginia, that Town Council convene in a closed meeting to discuss and consider prospective candidates for appointment to committees, commissions and boards. The following individuals are requested to attend the closed meeting:

1. All Town Council members

(Carried: 7-0-0, Grewe: Aye, Bertaut: Aye, Stinnette: Aye, Williams: Aye, Milan: Aye, Rayner: Aye, Fraser: Aye)

MOTION TO CERTIFY THE CLOSED MEETING

In accordance with Section §2.2-3712 of the Code of Virginia, Council member Grewe move that Town Council certify to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements under Virginia Freedom of Information Act; and (ii) only such public business matters as were identified in the motion by which the convened were heard, discussed or considered in the meeting by the public body.

(Carried: 7-0-0, Grewe: Aye, Bertaut: Aye, Stinnette: Aye, Williams: Aye, Milan: Aye, Rayner: Aye, Fraser: Aye)

ACTION ITEM(S)

a. Appointments to Committees, Commissions, and Boards

Council member Stinnette made the motion to appoint the following individuals, to the following committees, commissions, and boards with the following timeframes:

Council member Stinnette moved that the Town Council appoint the following individual, Bobbi Cowley to serve on the Purcellville Arts Council for the existing vacant term October 1, 2021 through September 30, 2023.

AND

Council member Stinnette moved that the Town Council appoint the following individual, Damon Cable to serve on the Tree and Environment Sustainability Committee for the existing vacant term of October 1, 2020 through September 30, 2022.

AND

Council member Stinnette moved that the Town Council appoint the following individual, Andy Chalonec to serve on the Economic Development Advisory Committee for the existing vacant term of October 1, 2021 through September 30, 2023.

AND

Council member Stinnette moved that the Town Council appoint the following individual, Tamara Dean to serve on the Economic Development Advisory Committee for the existing vacant term of October 1, 2021 through September 30, 2022.

(Carried: 7-0-0, Grewe: Aye, Bertaut: Aye, Stinnette: Aye, Williams: Aye, Milan: Aye, Rayner: Aye, Fraser: Aye)

Council member Stinnette moved that the Town Council appoint the following individual, Jonathan Wright to serve on the Board of Zoning Appeals for the existing vacant term October 1, 2020 through September 30, 2025.

(Carried: 7-0-0, Grewe: Aye, Bertaut: Aye, Stinnette: Aye, Williams: Aye, Milan: Aye, Rayner: Aye, Fraser: Aye)

Council member Stinnette moved that the Town Council appoint the following individual, Carol Luke to serve on the Planning Commission for the existing vacant term of October 1, 2018 through September 30, 2022.

(Carried: 7-0-0, Grewe: Aye, Bertaut: Aye, Stinnette: Aye, Williams: Aye, Milan: Aye, Rayner: Aye, Fraser: Aye)

ADJOURNMENT

With no further business, Council member Rayner made a motion to adjourn the meeting at 11:35PM and unanimously carried 7-0-0.

Kwasi Fraser, Mayor

Kimberly Bandy, Deputy Town Clerk