

**MINUTES
PURCELLVILLE TOWN COUNCIL MEETING
TUESDAY, SEPTEMBER 13, 2022, 7:00 PM
TOWN HALL COUNCIL CHAMBERS**

Meeting video can be found at the following link: <https://purcellvilleva.new.swagit.com/videos/184262>

COUNCIL MEMBERS PRESENT: Mayor Kwasi Fraser, Tip Stinnette, Stan Milan, Mary Jane Williams (*remote*), Vice Mayor Christopher Bertaut, Joel Grewe, Erin Rayner

STAFF PRESENT: Town Manager David Mekarski, Town Attorney Sally Hankins, Director of Engineering & Development Dale Lehnig, Director of Administration Hooper McCann, Director of Finance Elizabeth Krens (*remote*), Chief of Police Cindy McAlister, Director of Engineering, Planning & Development Dale Lehnig, Director of Public Works Jason Didawick, Director of Planning and Economic Development Don Dooley, Town Clerk/Executive Assistant Diana Hays, Deputy Town Clerk Kimberly Bandy

CALL TO ORDER:

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

AGENDA AMENDMENTS:

None

CONSENT AGENDA:

- a. **Reappointment with Recommendations from Chair and Council Liaison of Members to Committees, Commissions and Boards Specifically for the Economic Development Advisory Board, Purcellville Arts Council, Parks and Recreation Advisory Board, and Tree and Environment Sustainability Committee**
- b. **Approval of Meeting Minutes July 26, 2022**
- c. **Approval of Meeting Minutes July 27, 2022 Special**

Council member Stinnette made a motion that the Town Council approve the Consent Agenda items 6a.-c. as presented in the September 13, 2022 Town Council Meeting agenda packet.

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

PRESENTATION: (*In process to be Rescheduled*)

- a. **Reclaimed Water to Energy - Clean Power Revenue and Savings for Purcellville Utility Enterprise Company: Green Energy Partners/ Alaxandria Von Hell - CTO Green Energy Partners (Mayor)**

PROCLAMATION:

- a. **Proclamation - Constitution Week (Daughters of American Revolution)Constitution Week**

Mayor Fraser and Council presented the proclamation.

CITIZEN COMMENTS:

Casey Chapman, 205 Hirst Rd, Town business owner, shared there are a lot of good things happening in town and with staff.

Bill Conover, 811 W. Country Club Drive, shared he was disappointed in recent Council and staff behaviour.

Brian Dean, 601 W. Main Street, shared his concern on the sidewalk project regarding 31st and 28th Street.

MAYOR AND COUNCIL COMMENTS:

Council was given 5 minutes to make comments.

ACTION ITEM(S):

a. Request for Funding from Loudoun County - S. 32nd Street Sidewalk, J Street to Nursery Avenue

Jessica Keller, PE, Capital Projects Coordinator, gave the report.

Council member Stinnette moved that the Town Council approve staff to move forward the Loudoun County grant funding request for \$613,580 for the S. 32nd Street Sidewalk, and approve the attached Resolution Number 22-09-01, and authorize the Town Manager to execute said application for funds and to execute all project administration agreements for any approved projects.

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

b. Request for Funding from Loudoun County - G Street Sidewalk Improvements

Dale Lehnig, Director Engineering, Planning and Development, gave the report.

Council member Stinnette moved that the Town Council approve staff to move forward the Loudoun County grant funding request \$1,000,000 for the G Street Sidewalk Improvements, and approve the attached Resolution Number 22-09-02, and authorize the Town Manager to execute said application for funds and to execute all project administration agreements for any approved projects.

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

c. Request for Funding from Loudoun County - Maple Avenue Bike Park Frontage (Sidewalk and Parking)

Council member Stinnette moved that the Town Council approve staff to move forward the Loudoun County grant funding request for \$854,735 for the Maple Avenue Bike Park Frontage,

and approve the attached Resolution Number 22-09-03, and authorize the Town Manager to execute said application for funds and to execute all project administration agreements for any approved projects.

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

d. Budget Appropriation to Expand the Scope to Replace Damaged Subfloor at Bush Tabernacle

Bob Dryden, Facilities Specialist, gave the report on the condition of fifty percent of the floor at the Bush Tabernacle.

Council member Grewe moved the Town Council approve Budget Amendment BA 23-005 to transfer \$ 80,000, from the Parks and Recreation CIP Reserves Fund to the Bush Tabernacle Construction Fund in Fiscal Year 2023 to complete the Floor replacement and improvements to the Tabernacle.

Council member Stinnette made a friendly amendment to prioritize with this allocation of money (Mayor stated amount of \$10,000 or more) to remove all of the floor at one time and a no kidding assessment (end to end assessment of the remediation) of the condition underneath that floor with continued updates (on the project) to Town Council.

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

DISCUSSION/INFORMATIONAL ITEM(S):

a. Future Town Council Meetings and Agenda Topics

David Mekarski, Town Manager, gave the report.

Council member Stinnette reviewed public hearing Mayfair timeline regarding Planning Commission and when they would report to Town Council and suggested to Mr. Mekarski in sharing the tentative schedule with keeping in mind advertisement requirements for public hearings and Planning Commission meetings. Council member Grewe suggested that there would be an upcoming item regarding the Google Wifi to the next work session. Mr. Mekarski also shared the update of including on an agenda: the information from Tree and Environment Sustainability Committee re: Mr. Cable's request 12th St trees being removed and Code of Ethics from Vice Mayor Bertaut. Mayor Fraser also added a reschedule of the presentation from this evening and also the noted company wanting to do fibers to the homes.

b. Update on Hirst Farm Pond

Dale Lehnig, Director of Engineering, Planning and Development, gave a detailed report at the meeting. She shared information from after the update given in February 2022 to Town Council the engineer of record involved in the project was no longer a contracted group with the town. The project has been moved forward with Kimley-Horn and was accepted with a staff kick off meeting on August 31st along with the County. This project will need to be more collaborative

with the County than in the past. There is a tentative schedule of the first step to be a geotechnical borings on the dam and after receiving this report there will be a better idea of what is required for the design on the project. There will also be a review of the hydrological modeling of what was already researched for Kimley-Horn to confirm and place their stamp on the project. Staff expects final design plans and updated construction costs estimates to be reported in early 2023 and an update from Loudoun County regarding additional funding depending upon the costs and the per pound of phosphorous being removed. Mr. Mekarski added this project may fall under the Bipartisan Infrastructure Law under Storm water Management for additional federal funding. Mayor asked if this project is necessary to move forward with. Ms. Lehnig shared the project has been going on for several years and even though it was originally a wet pond it was intended to be a dry pond and with engineering firm assessments if it were to be turned into a wet pond, it would remove phosphorous and would give credits back to the County for their MS4. There is a liability issue with a safety concern on no ledges installed and the amount of silt in the pond. With the wet pond option there would be secured funding from Storm water local assistance funding \$300,000 and the County has offered \$150,000 towards the project. The bid would go out in early 2023 and the project be complete by the end of 2023. Remote citizen comments were heard on the project: David Dey, 716 Sturbridge Court, shared the HOA Hirst Farm has funding to deal with a resolution on this project and John Standley, 324 Spring Branch Court and President of HOA Hirst Farm, appreciates any effort for resolve of safety and beauty of the environment to move forward with this project and there is no HOA budget line for the pond itself. Vice Mayor Bertaut requested that before the geotechnical boring is done to have an advance notice. Mayor confirmed that there were stricter requirements from the County that has delayed the project. Ms. Lehnig shared that waivers submitted to the County have been denied and the structure is considered a dam by the County. Ms. Hankins, Town Attorney, needs to research this matter on regulations and challenge, if needed. Ms. Lehnig shared that the project for the additional engineering portion costs is short by approximately \$93,000 and there are no other estimates to share at this point. Another citizen comment by Casey Chapman, 205 Hirst Road, questioned Ms. Lehnig if it is permissible for the town to purchase credits to deal with this issue. Ms. Lehnig shared it is not applicable at this time to purchase credits and it was the HOA preference to have it be a wet pond. Council requested that Ms. Hankins revisit with the County Attorney office in regards to a reasonable argument to disagree in regards to the interpretation of an existing pond to possibly have them withdraw their opinion and report back to Town Council with a status.

c. Wastewater Treatment Plant Emergency Incident Root Cause Analysis (RCA) and Solution Response

Jason Didawick, Director of Public Works, gave the report and referenced the staff report in the agenda packet. Vice Mayor Bertaut requested more information on the testing of the cabling post installation being done at regular intervals or will it be a one-time determination of the measurements. Mr. Didawick shared that the infrared scan testing, by steps through proper procurement, would need to be done now and again later possibly annually with also researching how other municipalities and the professional service proceed with this type of process. Council member Milan questioned if the same wiring configuration was used for the backup generator (diesel operated) and this was confirmed to be the same conduit because of high costs

to make a change. Also, Council member Milan questioned how is the testing be done and is there an online testing. Barry Defibaugh, Superintendent Public Works, shared that staff will be going forward with the testing recommendation from professionals on how often to test and the inspection of the cable would be added to the maintenance calendar.

CLOSED MEETING:

MOTION TO GO INTO CLOSED MEETING:

Council member Grewe moved that, as authorized under Section 2.2-3711(A)(8) of the Code of regarding the HOA having funds to Virginia, the Purcellville Town Council convene in a closed session for consultation with legal counsel employed or retained by the public body regarding specific legal matters requiring the provision of legal advice by such counsel. Specifically, the Town Attorney will discuss and provide legal advice on the Field's Farm Park applications.

The following individuals are requested to attend the closed meeting:

- All Town Council members
- David Mekarski
- Sally Hankins
- Dale Lehnig”

(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 moved that the Town Council certify to the best of each member’s knowledge; 1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act; and 2) only such public business matter as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by the public body.”

(Carried: 6-0-1 Absent, Grewe: Aye, Bertaut: Aye, Stinnette: Aye, Williams: Absent, Milan: Aye, Rayner: Aye, Fraser: Aye)

ADJOURNMENT:

With no further business, Council member Grewe made a motion to adjourn the meeting at 11:00 PM and the motion carried (6-0-1 Absent).

Kwasi Fraser, Mayor

Kimberly Bandy, Deputy Town Clerk

Mayor
Kwasi A. Fraser

Town Manager
David A. Mekarski

Council

Christopher Bertaut
Joel D. Grewe
Stanley J. Milan, Sr.
Erin Rayner
Tip Stinnette
Mary Jane Williams



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Purcellville, VA 20132
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www.purcellvilleva.gov

TOWN OF PURCELLVILLE
IN
LOUDOUN COUNTY, VIRGINIA

RESOLUTION NO. 22-09-01

PRESENTED: SEPTEMBER 13, 2022
ADOPTED: SEPTEMBER 13, 2022

A RESOLUTION: REQUESTING COUNTY CIP FUNDING FOR THE DESIGN AND CONSTRUCTION OF S. 32ND STREET SIDEWALK, J STREET TO NURSERY AVENUE

At a regularly scheduled meeting of the Town of Purcellville Town Council held on September 13, 2022 by a motion made by Council member Stinnette, Council member Grewe seconded, and the following resolution was adopted by a vote of (7 to 0):

WHEREAS, the Loudoun County Department of Management and Budget has solicited requests from Loudoun towns for Capital Improvement Program (CIP) funding for capital projects located within the towns; and

WHEREAS, the Town of Purcellville has identified the following significant project: the design and construction of a sidewalk on the east side of S. 32nd Street from J Street to Nursery Avenue; and

WHEREAS, the Project will provide safe off-road mobility for pedestrians and link residents with many public facilities within the Town such as Emerick Elementary School, Loudoun Valley Community Center, Fireman's Field and Town Hall; and

WHEREAS, the Town will provide in-kind services of Project Management, from design through construction, plan review, coordination with property owners, review of legal documents and project inspection;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Members of the Town Council hereby respectfully request from the Loudoun County Board of Supervisors for the following in the County CIP funding assistance for:

S. 32nd Street Sidewalk, \$613,580

BE IT FURTHER RESOLVED, that the Town Manager is authorized to execute all project administration agreements for any approved CIP funding for these projects through Loudoun County.

**A RESOLUTION: REQUESTING COUNTY CIP FUNDING FOR THE DESIGN AND
CONSTRUCTION OF S. 32ND STREET SIDEWALK, J STREET TO
NURSERY AVENUE**

PASSED THIS 13th DAY OF SEPTEMBER, 2022.



Kwasi A. Fraser, Mayor
Town of Purcellville

ATTEST:



Diana Hays, Town Clerk

Mayor
Kwasi A. Fraser

Town Manager
David A. Mekarski

Council
Christopher Bertaut
Joel D. Grewe
Stanley J. Milan, Sr.
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TOWN OF PURCELLVILLE
IN
LOUDOUN COUNTY, VIRGINIA

RESOLUTION NO. 22-09-02

PRESENTED: SEPTEMBER 13, 2022
ADOPTED: SEPTEMBER 13, 2022

A RESOLUTION: REQUESTING COUNTY CIP FUNDING FOR THE DESIGN AND CONSTRUCTION OF G STREET SIDEWALK IMPROVEMENTS

At a regularly scheduled meeting of the Town of Purcellville Town Council held on September 13, 2022 by a motion made by Council member Stinnette, Council member Grewe seconded, and the following resolution was adopted by a vote of (7 to 0):

WHEREAS, the Loudoun County Department of Management and Budget has solicited requests from Loudoun towns for Capital Improvement Program (CIP) funding for capital projects located within the towns; and

WHEREAS, the Town of Purcellville has identified the following significant project: the design and construction of a sidewalk on the south side of East G Street, from East E Street to 604 G Street; and

WHEREAS, the Project will provide safe off-road mobility for students and pedestrians, linking residents with Blue Ridge Middle School; and

WHEREAS, the Town will provide in-kind services of Project Management, from design through construction, plan review, coordination with property owners, review of legal documents and project inspection;

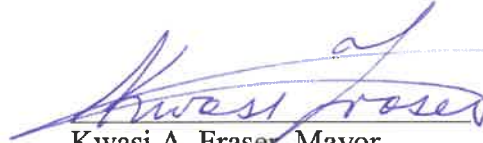
NOW, THEREFORE, BE IT RESOLVED that the Mayor and Members of the Town Council hereby respectfully request from the Loudoun County Board of Supervisors for the following in the County CIP funding assistance for:

G Street Sidewalk Improvements, \$1,000,000

BE IT FURTHER RESOLVED, that the Town Manager is authorized to execute all project administration agreements for any approved CIP funding for these projects through Loudoun County.

**A RESOLUTION: REQUESTING COUNTY CIP FUNDING FOR THE DESIGN AND
CONSTRUCTION OF G STREET SIDEWALK IMPROVEMENTS**

PASSED THIS 13th DAY OF SEPTEMBER, 2022.



Kwasi A. Fraser, Mayor
Town of Purcellville

ATTEST:



Diana Hays, Town Clerk

Mayor
Kwasi A. Fraser

Council
Christopher Bertaut
Joel D. Grewe
Stanley J. Milan, Sr.
Erin Rayner
Tip Stinnette
Mary Jane Williams



Town Manager
David A. Mekarski

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TOWN OF PURCELLVILLE
IN
LOUDOUN COUNTY, VIRGINIA

RESOLUTION NO. 22-09-03

PRESENTED: SEPTEMBER 13, 2022

ADOPTED: SEPTEMBER 13, 2022

A RESOLUTION: REQUESTING COUNTY CIP FUNDING FOR THE DESIGN AND CONSTRUCTION OF MAPLE AVENUE BIKE PARK FRONTAGE (SIDEWALK AND PARKING)

At a regularly scheduled meeting of the Town of Purcellville Town Council held on September 13, 2022 by a motion made by Council member Stinnette, Council member Grewe seconded, and the following resolution was adopted by a vote of (7 to 0):

WHEREAS, the Loudoun County Department of Management and Budget has solicited requests from Loudoun towns for Capital Improvement Program (CIP) funding for capital projects located within the towns; and

WHEREAS, the Town of Purcellville has identified the following significant project: the design and construction of sidewalk and parking along N. Maple Avenue and adjacent to Adam's Bike Park; and

WHEREAS, the Project will provide bike park users with safe and convenient access to the park, whether arriving by foot, bicycle or vehicle; and

WHEREAS, the Town will provide in-kind services of Project Management, from design through construction, plan review, coordination with property owners, review of legal documents and project inspection;

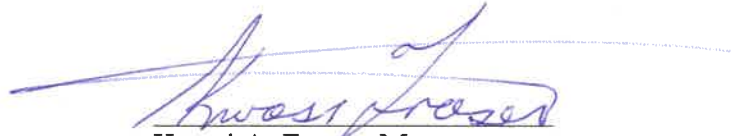
NOW, THEREFORE, BE IT RESOLVED that the Mayor and Members of the Town Council hereby respectfully request from the Loudoun County Board of Supervisors for the following in the County CIP funding assistance for:

Maple Avenue Bike Park Frontage, \$854,735

BE IT FURTHER RESOLVED, that the Town Manager is authorized to execute all project administration agreements for any approved CIP funding for these projects through Loudoun County.

**A RESOLUTION: REQUESTING COUNTY CIP FUNDING FOR THE DESIGN AND
CONSTRUCTION OF MAPLE AVENUE BIKE PARK FRONTAGE
(SIDEWALK AND PARKING)**

PASSED THIS 13th DAY OF SEPTEMBER, 2022.



Kwasi A. Fraser, Mayor
Town of Purcellville

ATTEST:



Diana Hays, Town Clerk