



**MIDDLEBURG TOWN COUNCIL
Regular Monthly Meeting Minutes**



Thursday, March 10, 2016

PRESENT: Mayor Betsy A. Davis
Vice Mayor Darlene Kirk
Councilmember Kevin Hazard
Councilmember Trowbridge Littleton
Councilmember Catherine "Bundles" Murdock
Councilmember Erik J. Scheps
Councilmember Mark T. Snyder
Councilmember Kathy Jo Shea

STAFF: Martha Mason Semmes, Town Administrator
Angela K. Plowman, Town Attorney
Rhonda S. North, MMC, Town Clerk
A. J. Panebianco, Chief of Police
Cindy C. Pearson, Economic Development Coordinator
William M. Moore, Town Planner
Ashley M. Bott, Town Treasurer

The Town Council of the Town of Middleburg, Virginia held their regular monthly meeting, beginning at 6:00 p.m. on Thursday, March 10, 2016 in the Town Hall Council Chambers, located at 10 W. Marshall Street. Mayor Davis led Council and those attending in the Pledge of Allegiance to the flag.

Public Comment

John Kevin Daly, 112 N. Jay Street, appeared before Council to announce his candidacy for the Town Council. He advised that he was born in Texas and was a member of a military family, which continued when he entered the military. Mr. Daly further advised that when he was assigned to the Pentagon in 2001, he came to Middleburg in search of history and found a warm, welcoming town. He noted that he then started attending church here and met his wife and in 2003, they were married and purchased a home. Mr. Daly reiterated that for the past forty years, he served in the military and at government agencies and advised that he now wanted to serve his adopted home town.

Special Recognitions by Mayor and Council

Council Approval – Resolution of Appreciation – Anne Lackman

Vice Mayor Kirk moved, seconded by Councilmember Snyder, that Council adopt a resolution extending its appreciation to Anne L. Lackman for her service to the Town as Mayor from July 1, 1988 through June 30, 1992 and on the HDRC from October 14, 1993 through December 31, 2008.

Vote: Yes – Councilmembers Kirk, Hazard, Littleton, Murdock, Scheps, Shea and Snyder
No – N/A
Abstain: N/A
Absent: N/A
(Mayor Davis only votes in the case of a tie)

Mayor Davis noted that Ms. Lackman could not be present as she has moved. She read the resolution of appreciation aloud. Ms. Davis thanked Ms. Lackman in her absence and noted that she would be missed. Councilmember Littleton noted that she was a great asset to the Town.

Public Comment (continued)

Phillip Miller, 8 Orange Drive, appeared before Council to announce his candidacy for the Town Council. He noted that he has lived in Middleburg since 2012 and worked at Highcliffe Clothiers. Mr. Miller opined that it was important to stand up for and give back to the town that he loved. He advised that the Council would see him at the meetings more often and noted that he served on the Middleburg Business & Professional Association's Board of Directors.

Tony Pearce, 608 West Washington Street, reminded Council that he was also a candidate for the Town Council.

Mayor Davis expressed appreciation for those individuals who were willing to run for public office.

Approval of Minutes

Councilmember Snyder moved, seconded by Councilmember Scheps, that Council approve the February 11, 2016 Regular Meeting and February 25, 2016 Work Session Meeting Minutes as amended.

Vice Mayor Kirk noted that she may have a possible amendment and advised that she would check on it with Councilmember Shea following the meeting.

Vote: Yes – Councilmembers Kirk, Hazard, Littleton, Murdock, Scheps, Shea and Snyder

No – N/A

Abstain: N/A

Absent: N/A

(Mayor Davis only votes in the case of a tie)

Staff Reports

Councilmember Hazard reported that he heard a plea from a constituent asking that the water be turned off at 10:30 p.m. this evening, instead of 10:00 p.m., at the Red Horse Tavern as they must wash their dishes. Stuart Will, **of IES**, reported that he would do what he could to change the time.

Town Administrator Semmes explained that the contractor was making the water connection changes for restaurants at night so they would not disrupt their business. She noted that they were supposed to start work at 9:00 p.m. and advised that she received a similar request from the Red Fox Inn to wait until 9:30 p.m.

Councilmember Murdock opined that 9:30 p.m. was still early for restaurants that stopped serving at 9:00 p.m. as they must still do their dishes. Town Administrator Semmes noted that Mr. Will would relay this to the contractor.

Councilmember Hazard reiterated that the Red Horse Tavern asked that it be postponed until as late as possible. He noted that they had already spoken with the contractor.

Town Administrator Semmes reiterated that they were doing this at night for the restaurants and advised that they would make all of the changes tonight for those restaurants that were affected by the line construction on Washington Street, including the Red Horse Tavern and the Red Fox Inn. She noted that the contractor made the connection at the Trotters Perk Bistro on the day they were closed.

Vice Mayor Kirk questioned the status of the agreement for the use of the Pink Box. **Town Administrator Semmes** reported that a draft has been prepared; however, the details needed to be worked out. She noted the need to get the draft to the Town Attorney for her review.

Councilmember Murdock inquired as to the status of the relief for the Town's costs of snow removal during the recent blizzard. Town Administrator Semmes reported that she received a second communication from the County Department of Emergency Management. She advised that the next phase of the reimbursement request would be to provide the required detailed records and noted that she was working with the Town Treasurer to assemble them. Ms. Semmes reminded Council that the reimbursement would be on a cost share basis and that the Town could only get reimbursement for forty-eight hours of its snow removal costs. She expressed hope to get enough money back that it would put the Town under budget in that category.

Mayor Davis noted that the Town did not use its entire snow removal budget last year. Town Administrator Semmes noted that it has not used it for many years.

Vice Mayor Kirk thanked the Town Administrator for arranging to add heat vents to the Town Office's restrooms.

Town Administrator Semmes reported that she was participating in the deliberations by the Loudoun County Design Cabinet and noted that three applications have been submitted from Middleburg for awards.

Councilmember Shea noted that the Town Administrator's report mentioned that one of the applications was for the first Middleburg Professional Center building. She further noted that the Jackson building was called the Middleburg Professional Building. Ms. Shea advised that she was not sure which building was being referenced. Town Administrator Semmes confirmed it was the first of the two buildings that were named the "Middleburg Professional Center".

Vice Mayor Kirk questioned whether the Community Center was doing anything for Easter. Councilmember Murdock confirmed they were not due to poor attendance at past events.

Town Planner Moore reported that Salamander presented its first draft of the design guidelines to the HDRC for its homes in the residential development. He further reported that the HDRC has scheduled a work session for March 17th to review them in detail.

Councilmember Scheps asked whether anyone could attend the work session. Town Planner Moore confirmed it was open to the public.

Vice Mayor Kirk asked the Town Planner to scan the proposed guidelines and send them to the Council.

Councilmember Littleton opined that the models looked nice. He noted that all the Committee initially saw was an overview that was squares.

Town Planner Moore agreed it was hard to appreciate what the houses would look like when looking at an overview. He advised Council that the HDRC was taking this very seriously as they understood the large effect of this development on the community. Mr. Moore confirmed they would look at the guidelines in detail.

Councilmember Shea questioned whether anything was occurring with VDOT's review of the Clites project. Town Planner Moore confirmed there was not and expressed frustration. He noted that Mr. Clites was also frustrated. Mr. Moore reminded Council that the expectation was that VDOT's review would be completed within a maximum of forty-five days and advised that the plans have been in their hands since early December. He noted that he could not get an idea of when the review would occur. Mr. Moore advised that this was a small, simple site plan, which was on its third iteration, and noted that it only addressed their previous comments.

Mayor Davis asked whether there was anything the Council could do to assist. Town Planner Moore reported that Mr. Clites has reached out to the level above the reviewing staff. He opined that this project may reach the point where it would require the Council's involvement.

Councilmember Shea expressed appreciation to the Town Treasurer for following up on the business licenses. **Town Treasurer Bott** reported that a lot of work was being done on that and advised that the staff was trying to make it better for next year. She noted that there has been some confusion related to the licenses.

Councilmember Murdock questioned whether the Town Treasurer was checking spikes in the water bills. She further questioned whether she had observed anything unusual. Town Treasurer Bott reported that there were fewer problems with this billing than the last one. She noted that there were some mechanical issues involved with importing the information and reported that an old file from June was being used, which created issues. Ms. Bott reported that this has now been resolved. She advised Council that she was entering the data on the meters that have been replaced and reported that there has been a problem matching the meters with what was in the system. Ms. Bott noted that there were some accounts that were not in the system with the correct address.

Economic Development Coordinator Pearson noted that this has not affected the billing amount as the staff has re-read the meters.

Town Administrator Semmes advised Council that before purchasing a new software system, the staff wanted to make sure the data in the old system was correct as it did not want to put bad data into the new system.

Town Treasurer Bott noted that a lot of information, such as the size of the meters, was not in the system and advised that this was useful when determining some aspects of the billing. She suggested that at some point, it would be worth it to physically look at the meters and opined that the billing should not be as difficult as it was.

Councilmember Snyder questioned whether it was realistic to expect an RFP to replace the software this year. Town Administrator Semmes opined that it was. She noted that the staff was listening to presentations in order to get a feel for what was available.

Vice Mayor Kirk suggested the need for software packages that talked among themselves. Councilmember Snyder agreed as long as it was secure communications.

Councilmember Shea suggested that the system should trigger an update in every address in the file when someone requested something such as a disconnect in their water service.

Vice Mayor Kirk questioned whether this billing was based upon an actual meter reading, not an estimate. She noted that she thought her bill would be less since she had been gone for thirty days. Town Treasurer Bott confirmed the meters were read.

Chief of Police Panebianco reported that Officer Tharpe has returned to work. He reminded Council that the contractor was getting ready for the second phase of construction on Route 50; therefore, a lot of issues were coming up on a daily basis.

Mayor Davis opined that the street looked nice following the removal of the old street lights. She noted that it would be nice to have new ones; however, she noted the clean appearance without them.

Chief Panebianco noted the tragedy in law enforcement that was suffered this past month and reported that Middleburg was represented at the funeral. He noted that this was a good reminder that things could happen every day.

Councilmember Scheps inquired as to when the Police Department would hold an open house. Chief Panebianco advised that he would set up something probably in April. He suggested it occur on a week day and noted that Fridays were good. Chief Panebianco suggested they hold an open house, followed by a visitation session.

Chief Panebianco reported that this week, he had a very pressing issue that needed to be resolved involving the Route 50 Project. He noted that Jovi Alves did some behind-the-scenes work to make sure there was parking on the streets. Chief Panebianco advised that the lighting contractor tried to leave before they finished the job; however, Mr. Alves required that they keep working. He opined that he was an asset to the community. Chief Panebianco noted that the community was being impacted by the project; however, it would be worse without Mr. Alves. He opined that Mr. Alves cared about the community and has told him that he wanted the project to have as little impact as possible, while still getting the work done.

Town Administrator Semmes opined that he had the same problem with sub-contractors as the Town had in that they would not come when they said they would and would not answer the phone.

Chief Panebianco reiterated that the contractor was close to starting the next phase of construction, which would require a learning curve and that people be patient. He asked that if anyone had an issue that they contact him or the Town Administrator so they could deal with it.

Councilmember Shea noted that when she and the Town Administrator visited the businesses, overall, the people they spoke with were accepting and pleased about the project.

Councilmember Murdock noted that the Economic Development Coordinator offered a nice presentation during the Bizz Buzz and asked for patience. She further noted that she explained that everything would be great in the end. Ms. Murdock opined that the bad news was the speed that some cars were doing when taking a detour on the side streets. Chief Panebianco opined that the speed appeared to be faster than it actually was as motorists were accelerating to the speed limit when leaving the stop sign. He suggested that they were not going as fast as people thought. Chief Panebianco noted that the officers were doing speed patrols again and providing a presence on both ends of town, including Federal Street.

Town Attorney Plowman reported that a bill was signed by the Governor earlier this week that significantly changed the proffer legislation and what localities could do when accepting them. She further reported that it wiped out cash proffers unless they were for a direct impact by that residential development. Ms. Plowman explained that developers could no longer do off-site improvements unless it was for a public facility that was directly impacted by the residential development.

Town Administrator Semmes opined that this would make it more difficult for a developer to get a rezoning approved.

Town Attorney Plowman reported that this legislation would be effective July 1, 2016. She noted that it would also affect proffer amendments.

Councilmember Shea noted that the Town Attorney asked her why she did not jump on the Styrofoam issue. She explained that when the issue was discussed, it “went over her head” and advised that she asked the Town Attorney, on behalf of the Council, to speak up more.

Town Attorney Plowman noted that, after the Council talked about what it was supporting as a part of its legislative agenda, she thought this was an item that the Council would have chosen.

Mayor Davis opined that it was a part of the VML’s legislative agenda, which the Council supported.

Councilmember Murdock noted that there were two other issues on that agenda related to Air BnBs. Town Administrator Semmes advised Council that Delegate Randy Minchew reported that all of those bills were defeated. She noted that it appeared that the General Assembly was going to compromise to delay the bills’ implementation and do a study; however, they just said “no”.

Mayor Davis questioned the status of the bills related to political party affiliation. Councilmember Snyder noted that he protested that, as well as the bill to move town elections, with Delegate Minchew who said he would not support it. He noted that Delegate Minchew indicated that Leesburg had second thoughts on moving their election. Mr. Snyder opined that there was a similar bill that was heard by the Senate related to political party affiliations; however, he was not sure what happened to it.

Town Administrator Semmes noted that the legislators were aware of the Council’s positions on the bills and advised that she or the Mayor wrote them again when the VML sent out alerts.

Councilmember Murdock explained, for the benefit of the Town Council candidates in the audience, that a bill was introduced by the General Assembly to move town elections from May to November. She noted that the Council opposed it as they felt the town elections would get lost in November. Ms. Murdock advised that there was a second bill that was related to political party affiliation at the local level and noted that the Council did not want this as party affiliation made no difference at this level. She opined that local governments ran well without getting into it.

Mayor Davis opined that the political party affiliation legislation was defeated. Town Clerk North reported that the last VML Alert indicated it was still alive.

Town Attorney Plowman reported that Delegate Minchew abstained on the proffer legislation and that Senator Vogel voted against it.

Reports of Town Committees/Council Liaisons

Councilmember Shea advised Council that Go Green has asked whether the members of Council had any more comments on their draft report. She asked, if so, that they get them to the committee quickly so they could get the report in print. Ms. Shea announced that the two co-chairs would probably not seek reappointment to the committee; therefore, new members would be needed.

Mayor Davis asked that this be included in the next newsletter.

Action Items (non-public hearing related)

Council Approval – Proclamation – Local Government Education Week

Vice Mayor Kirk moved, seconded by Councilmember Scheps, that Council adopt a proclamation declaring April 1-7, 2016 as Local Government Education Week in the Town of Middleburg.

Councilmember Shea noted that the Council declared a lot of weeks; however, they did not do a lot with them. She suggested that someone take responsibility for this week and invite people to talk about what local government meant. Ms. Shea advised that she was willing to help spearhead this effort. She asked whether the Council candidates would be willing to join her and suggested an open house be held during that week.

Councilmember Murdock noted that the Middleburg Common Grounds offered to open their space for candidate recruitment and suggested it be used for this instead.

Councilmember Snyder reminded Council that candidate debates used to be held.

Councilmember Shea reiterated that she would spearhead the effort to educate the public on Local Government Education Week.

Town Administrator Semmes noted that the Local Government Manager’s Association sent out ideas for other activities that could be done and suggested it would be nice to do those some years.

Mayor Davis questioned whether the dates were correct. Town Clerk North confirmed that Local Government Education Week was held on April 1-7 every year.

Vote: Yes – Councilmembers Kirk, Hazard, Littleton, Murdock, Scheps, Shea and Snyder
No – N/A
Abstain: N/A
Absent: N/A
(Mayor Davis only votes in the case of a tie)

Council Approval – Proclamation – Arbor Day

Vice Mayor Kirk moved, seconded by Councilmember Murdock, that Council adopt a proclamation declaring April 30, 2016 as Arbor Day in the Town of Middleburg; and, urging all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands.

Vote: Yes – Councilmembers Kirk, Hazard, Littleton, Murdock, Scheps, Shea and Snyder
No – N/A
Abstain: N/A
Absent: N/A
(Mayor Davis only votes in the case of a tie)

Mayor Davis noted that she would not be here for the Arbor Day celebration. She asked the Vice Mayor to represent her during the ceremony.

Discussion Items

Bluemont Concert Series

Lilly Dunning, Executive Director of Bluemont, extended appreciation on behalf of those affected by their partnership with the Town for the Council's support in the past. She noted that this was the twenty-first year that Bluemont has provided concerts in Middleburg. Ms. Dunning offered special thanks for all the Town did last year to offer new and special things. She advised that Bluemont was at a cross roads last year as they experienced challenges with the event location and scheduling. Ms. Dunning offered special thanks to the Economic Development Coordinator and reiterated that last year was a challenging year that required extra work. She advised that Bluemont was thrilled to partner with the Community Center to offer a concert on the Fourth of July.

Councilmember Murdock noted that she received many complements and opined that it made a difference in the event.

Ms. Dunning advised Council that it was wonderful to have the concerts back on Madison Street and opined that attendance increased due to people who stumbled onto the concerts. She noted that they were excited to partner with the Middleburg Charter School as an alternate indoor location and opined that there was a potential to expand that partnership. Ms. Dunning advised that Bluemont was poised for great things this coming year.

Ms. Dunning advised that they also wanted to follow up on their funding request for FY '17. She reiterated that this was Bluemont's twenty-first year in Middleburg. Ms. Dunning reported that since 1994, they have presented eighty-nine summer concerts and one hundred fifty-four multi-cultural programs in the public and private schools in Middleburg. She noted that they were working to revitalize the multi-cultural programs. Ms. Dunning advised that they were working to provide some programs at the Charter School and noted that they held some at The Hill School earlier in the day.

Ms. Dunning reminded Council that she sent a letter requesting feedback on the concerts. She reported that she and the Economic Development Coordinator were discussing options and noted that there were a number of performers that were on their roster but not on the list sent to the Council, including: Darryl Davis; Maryann Redmond; The Taters; Black Sheep; the Pan Masters; and, the Clark County Band. Ms. Dunning reported that Ms. Redmond was willing to go back to performing rock-n-roll and opined that she has performed with Bluemont for so long that people wanted to see her rock-n-roll band.

Councilmember Snyder suggested the inclusion of the Martinsburg Jazz Orchestra and opined that they were always excellent. Ms. Dunning expressed hope to bring them back and advised that she would add them to the list as a possibility.

Economic Development Coordinator Pearson reminded Council that there were five weeks in July; however, the first one was the Fourth of July holiday weekend. She advised that Bluemont would bypass that week and do the next four Saturdays. Ms. Pearson noted that it was great when the Fourth of July fell on a Saturday so the Town could partner with the Community Center.

Councilmember Murdock advised that she would make a note to partner with Bluemont for the Fourth of July celebration.

Ms. Dunning announced that this was Bluemont's fortieth anniversary and advised that they were planning some special activities, including some family activities at one of the concerts.

Councilmember Hazard advised that he would like to see MaryAnn Redmond.

Mayor Davis asked that members who had any further thoughts get them to the Economic Development Coordinator as soon as possible.

FY '17 Budget

Town Administrator Semmes advised Council that the FY '17 General Fund Budget was proposed at \$3 million. She noted that there would be a reduction in the Health Center Fund Budget. Ms. Semmes advised that the draft budget showed a seven percent increase in revenues and an eight percent increase in expenditures. She reported that she did not have the year-to-date numbers yet and advised that the Town Treasurer would provide them as soon as possible. Ms. Semmes reminded Council that Salamander's revenues were always a question mark and reported that they continued to exceed the Town's expectations. She noted, however, that she did not want to over-estimate them and advised that she was trying to be conservative regarding the revenue estimates.

Town Administrator Semmes reported that she met with the Commissioner of Revenue, who indicated that the real estate assessments county-wide were flat. She reminded Council that Middleburg's assessments increased nine percent last year and reported that they were up 5.8% this year. Ms. Semmes noted that there was a large drop in the assessments that was probably related to Salamander's appeals regarding their land that was zoned but not yet developed. She opined that once the houses were constructed, the assessed value would increase.

Town Administrator Semmes reported that, based on the assessments, the Town would have an equalized tax rate of sixteen cents, which was a penny below the current rate. She noted that a penny equated to thirty-one thousand eight hundred dollars. Ms. Semmes advised Council that, in order to be conservative in terms of the contingency, she plugged in the current tax rate. She noted page seven of the draft budget, which contained the alternative tax rates. Ms. Semmes reminded Council that the amount of the contingency reserve would change as they went through the budget process and reported that it was currently approximately \$232,000. She advised Council that the Town's health insurance premiums were increasing by 10.2%. Ms. Semmes noted that she did not yet have the VML insurance rates and opined that the Town should get a quote in a month or so. She reported that based on the health insurance increase and what neighboring jurisdictions were doing, she included a 3% cost-of-living-allowance (COLA) in the draft budget.

Vice Mayor Kirk inquired as to what the government space planning line item (Page 8) was for. Town Administrator Semmes explained that the staff was trying to come up with what they were going to do with regard to a new building.

Councilmember Shea noted that she was no longer on the Town's health insurance. Town Administrator Semmes confirmed this was reflected in the draft budget.

Mayor Davis questioned the number of individuals under the insurance line item in the Maintenance Budget (Page 11) and noted that the cost seemed higher than the other line items. Town Administrator Semmes confirmed it was just the Facilities & Maintenance Supervisor. She noted that he was on the family plan. Ms. Semmes advised Council that not that many employees were on the family plan and noted that there were only two or three. Town Administrator Semmes reminded Council that the Town paid eighty percent of the family plan premium, eighty-five percent of employee plus one premium and one hundred percent of the employee only premium.

Mayor Davis inquired as to what the \$63,000 in miscellaneous donations for FY '15 encompassed. Town Administrator Semmes opined that this was something the former Town Treasurer put in that line item as there was nowhere else to put it.

Councilmember Shea reminded Council that she has been asking that this type of thing be delineated. Mayor Davis asked the Town Administrator to check on the details of this line item.

Mayor Davis questioned whether the Fire & Rescue line item (Page 8) was the State pass through funds. Town Administrator Semmes confirmed it was. She noted that this money would now go to the County. Ms. Semmes advised that she needed to confirm the amount. She reiterated that this money would go to the County for use in Middleburg and noted that it was an apportionment provided by the State to localities.

Mayor Davis noted that there were two separate line items (Page 9) for the Town's committees – one titled "Town Committee Support" and one titled "Go Green Support". She questioned whether this was normally located under the Economic Development Budget. Town Administrator Semmes reminded Council that, last year, they separated out the tourism related organizations and left those in the Economic Development Budget, with any others wanting money being placed in the Administration Budget.

Councilmember Shea opined that the funding for Go Green did not need to be separate from the other committees' funding. She suggested it made sense to have it all in one location. Ms. Shea suggested this was redundant and advised that Go Green could apply for what they wanted.

Town Administrator Semmes noted that she would make sure the Town Committees Support line item included the amount that Go Green typically requested.

Councilmember Shea questioned whether the Town tracked sales for the Pink Box. Town Administrator Semmes reported that they had no sales. She noted that they only received donations.

Councilmember Shea suggested the signage in the Pink Box be changed to reflect that these were donations.

Councilmember Shea inquired as to the details of the litter grant. Town Administrator Semmes advised that this was something the Town received every year and noted that it came through Loudoun County. She reported that it must be used for recycling and litter control. Ms. Semmes noted that the Town has always used it to defray the cost of the Facilities & Maintenance Supervisor's salary and for the purchase of recycling bins. She advised that it was only a \$1,000 grant. Ms. Semmes explained that she provided the County with a letter stating that the Facilities & Maintenance Supervisor's salary was \$xx and that he spent xxx percent of his time doing recycling and the County then gave the Town a check for that amount.

Councilmember Shea questioned whether the grant could be used for the annual clean-up costs. Town Administrator Semmes advised Council that she would check to see if that activity qualified for the grant.

Mayor Davis questioned whether the marketing contract line item (Page 14) was for the cost for Bendure. Economic Development Coordinator Pearson confirmed that that was part of it. She noted the need to hire someone to do marketing for the businesses.

Mayor Davis noted that no funds were proposed in the budget for the museum. Town Administrator Semmes advised Council that she did not know what to do with that item and suggested this was a discussion item for the Council. She noted that the museum did not request the money that was included in the current budget.

Councilmember Snyder noted that he was not sure the museum was qualified to receive the money in terms of having expenses.

Town Administrator Semmes advised that while she did not propose any funding for FY '17, the Council could include some if desired.

Councilmember Shea questioned whether all of the organizational funding requests were going through EDAC. Town Administrator Semmes reminded Council that, last year, they decided that some of them would be line items in the budget. She noted that if they wanted them to go through EDAC, they could.

Councilmember Shea opined that the Council held a discussion last year about having the organizations go through EDAC to apply for their funding. Town Administrator Semmes confirmed there was an application process for those requesting funding for special events that went through EDAC. She advised that there were exceptions for the Community Center's Fourth of July Celebration, the Bluemont concerts, the Middleburg Film Festival and Shakespeare in the Burg.

Economic Development Coordinator Pearson noted that Christmas in Middleburg and Bluemont only made presentations to the Council, with the others having a pot of money.

Town Administrator Semmes suggested it would be good to straighten this out and to determine what the Council wanted from the organizations that had line items in the budget, such as Visit Loudoun and the MBPA. She noted that the Farmers Market was not an organization as that was a Town sponsored activity.

Councilmember Shea noted that when looking at an event, there was no way to make sure the organization was providing recycling, garbage pick-up, bathrooms, etc. if they did not go through some sort of process. She explained that this was her concern. Ms. Shea suggested the process be consistent for everyone.

Town Administrator Semmes questioned how organizational support should be handled and what the Council wanted from those organizations. She cited Visit Loudoun as an example and noted that they did not deal with issues such as trash.

Councilmember Shea suggested the Farmers Market, Arts Council and any other special activity should have to apply through EDAC. Economic Development Coordinator Pearson reminded Council that the Farmers Market was sponsored entirely by the Town.

Councilmember Shea suggested the Town still needed to make sure its activities had adequate trash pick-up.

Town Administrator Semmes questioned whether the Council wanted feedback from organizations before deciding on the funding levels, like it did last year with Visit Loudoun. She suggested the Council may want Visit Loudoun to appear before it again to let them know what they wanted this year.

Councilmember Shea explained that she wanted consistency and a medium to make sure the activities were meeting environmental standards.

Mayor Davis reminded Council that they discussed this last year. Economic Development Coordinator Pearson reported that EDAC received a funding request from Shakespeare in the Burg.

Mayor Davis reminded Council that the idea was to give some organizations starter funds, with the idea that they would not have to keep asking the Town for money. She cited the Arts Council as an example.

Town Administrator Semmes reminded Council that the Arts Council and the Farmers Market were Town committees. She suggested their funding be moved to a different location.

Councilmember Snyder reminded Council that Visit Loudoun requested a large increase last year and they asked them to justify it. He opined that it was a good idea to do so again this year rather than automatically giving them the same amount.

Councilmember Shea suggested the Council ask EDAC to take a look at what they may use.

Town Administrator Semmes suggested that organizational support be handled at the staff level. She noted that the Town had an application form for the special events, which organizations must complete and submit.

Councilmember Scheps questioned whether funding was included in the proposed budget for new parking meters. Town Administrator Semmes confirmed that funding was included under the Maintenance Budget. Vice Mayor Kirk noted that the budget included \$78,000 for their purchase.

Councilmember Snyder opined that this was low. Town Administrator Semmes advised that she and the Police Chief were working with the Facilities & Maintenance Supervisor to refine the cost estimate. She noted that they knew the cost of the meters and were still getting firm costs for the poles. Ms. Semmes advised that the Facilities & Maintenance Supervisor was talking to a vendor about removing the old meters and installing the new ones. She noted that she was also getting a cost estimate for that work from the Route 50 contractor.

Councilmember Snyder opined that the cost would increase by twenty to thirty percent over the amount proposed in the first draft of the budget. Mayor Davis opined that the Council was originally talking about a cost of \$80,000. She suggested the budget include whatever the cost could be. Councilmember Shea opined that the cost would be \$100,000. Vice Mayor Kirk requested that a more realistic number be included in the budget.

Town Administrator Semmes reiterated that this draft included the cost for the installation based on the cost estimate, posts and meters. She noted the need to refine the numbers. Ms. Semmes reminded Council that the Town needed to have a budget by April 1st as it must advertise the tax rate. She suggested the Council may wish to advertise a higher rate in order to give it flexibility.

Councilmember Scheps questioned whether funds were included in the budget for body cameras for the Police Department. Chief Panebianco reported that the officers already had the cameras and advised that they were in use for the patrols. He explained that what was included in the budget was for the data storage costs. Chief Panebianco noted that the cameras were under warranty, which would help keep the maintenance cost down. He opined that the cloud storage would cost \$1,683. Chief Panebianco explained that what took so long to get the cameras in place was the need to make sure the Town's policies were consistent with those of other jurisdictions so that when a judge heard a case, the meaning of the policy would be the same even if the policies were not verbatim. He advised that he did not have a year-long history of the data measurements in order to calculate the storage fees. Chief Panebianco opined that the Department currently had enough storage to handle what it was doing. He noted that if the amount changed, the service could be upgraded. Chief Panebianco advised Council that he did a monthly random review of the videos from each officer and opined that it was a valuable tool.

Councilmember Hazard advised Council that he did an informal survey of four people regarding the parking meters. He reported that all of them indicated that it would be nice if they could use a credit card, as some of the stores did not like to give out change.

Mayor Davis questioned whether Councilmember Hazard also asked whether they were okay increasing the fee for the meters to \$1/hour to pay for the cost of accepting credit cards. Councilmember Scheps opined that they would probably say “yes”.

Mayor Davis noted that Middleburg was a small town. She further noted the headaches associated with accepting credit cards and opined that it was more trouble than it was worth. Ms. Davis reminded Council that the meters would be subject to the weather and would require Wi-Fi. She noted the problems associated with a credit card system that was hard wired.

Councilmember Littleton expressed concern about the ability of someone to hack credit card information from the parking meter.

Councilmember Murdock opined that businesses needed to be able to make change. She noted that this was something that would pull people into the businesses.

Town Administrator Semmes noted that she had a couple of budget options that she wanted to present to the Council. She advised that the first was the installation of the last six streetlights on Washington Street. Ms. Semmes advised that she has asked A&M Concrete for a cost estimate to purchase and install the lights. She noted that they indicated the cost would probably be around their line item bid for the Route 50 Project. Ms. Semmes suggested that if the Town could afford it while the contractor was still in town, it would be nice to install the remainder of the lights from Liberty to Jay Street. She noted that currently, the last light would be located on the corner of Liberty and Washington Streets. Ms. Semmes questioned Council’s thoughts on this and noted that the wiring was done. Mayor Davis opined that it would be nice.

Town Administrator Semmes advised that the next item was the Pinckney Street improvements. She noted that she was not sure when it was last paved. Councilmember Snyder opined that it was in the 1980’s.

Town Administrator Semmes advised Council that when the excavation work was done for the water line along Pinkney, the profile could be seen and reported that there was only two-inches of asphalt. She noted that this was why it was deteriorating. Ms. Semmes opined that the cost may be more than the Town could afford; however, she would get a cost estimate.

Town Administrator Semmes advised that the other issue was the sale of the Town shop property. She suggested the proceeds could be used for the construction of a storage building. Ms. Semmes reminded Council that the staff was moving forward with the closure of Well 1 and advised that the Facilities & Maintenance Supervisor was on board with moving his operations to the Well 4 treatment plant. She noted that no one was using that office and reminded Council that the building included a kitchen, shower, restroom and garage. Ms. Semmes suggested the Town Shop property could be used for a commercial use. She reported that she has heard from people who were interested in purchasing it. Ms. Semmes noted that this would put it back on the tax rolls.

Vice Mayor Kirk reminded Council that once sold, the Town would not be able to get it back and noted that it was difficult to buy property in town. Ms. Kirk advised that she was against selling the property.

Town Administrator Semmes reminded Council that there was a process that the Town was required to follow in order to sell property. She further reminded them of the need to advertise it and hold a public hearing. Ms. Semmes advised that she looked at the number of properties the Town owned and opined that it would benefit the Town to consolidate the number.

Councilmember Murdock noted that the Town did not have a Police Department building. Town Administrator Semmes advised that this would not be a good location for a Police Department.

Councilmember Scheps suggested the property be sold, with the Town then having the money to build one.

Councilmember Littleton suggested the money be put in the Health Center building with the Town Offices then moving to that location.

Councilmember Scheps suggested the Town sell the Health Center building. Councilmember Snyder opined that the revenues would have to go to charity. Councilmember Scheps suggested the need to look at the exactly wording of the documents to confirm whether this was correct.

Vice Mayor Kirk also opined that the revenues would have to go to charity. She requested the Town Administrator prepare a report on the number of properties owned by the Town, including their location and what they were used for. Councilmember Hazard asked that the report include a map.

Mayor Davis noted that she was aware of a property that would be good for a Police Department, if the Town sold some property. She advised, however, that she was not sure the property was for sale.

Town Administrator Semmes reminded Council that there was funding in the budget to do space planning. She advised that she favored consolidated town government offices.

Councilmember Hazard suggested the need to look at the Health Center and noted that it was a beautiful building that had parking and storage. He advised that he was not saying the Town should move there; however, he suggested it needed to be considered. He noted the nice court yard. Mr. Hazard suggested that rather than buying land and building something when the Town had a great structure, it should put a lot of money into fixing the Health Center building to make it livable. He further suggested the need to consider this as an option.

Councilmember Littleton noted that from a historical point of view, Middleburg was a historical town with a good feel, and opined that the Health Center building was that. He further opined that visitors would love to go there versus a new, modern building. Mr. Littleton suggested that Leesburg used to be more enjoyable before it built new buildings.

Councilmember Shea opined that if redesigned, the Town could have a lot of offices in the building.

Town Administrator Semmes advised Council that she would have the Town property information available within a month. She noted that the budget was a priority at this time. Ms. Semmes advised that she had an inventory; however, she wanted to update the assessed values and noted that the preparation of the map may take time.

Town Administrator Semmes reported that she had a plan that would be presented to Council during the work session for the potential repair or replacement of the East Washington Street sidewalk in front of the museum and the house that was beyond.

Councilmember Littleton advised that the sidewalk needed to be repaired as soon as possible.

Town Administrator Semmes questioned whether the Council wanted Town forces to work on it and noted that it was not a Town sidewalk.

Councilmember Murdock questioned who ripped it up. Councilmember Littleton noted that this occurred when someone removed the tree. Councilmember Shea noted that the tree had to be removed for the water line project. Councilmember Littleton advised that in doing so, the contractor ripped up the sidewalk.

Town Administrator Semmes advised that she would ask the contractor about this. She reiterated that she would have the cost estimates available for discussion during the work session. Councilmember Shea asked that it also include the long-term maintenance costs.

Councilmember Hazard asked the staff to look at the Route 50 contract to see what was required with regard to the sidewalk repair.

Town Planner Moore opined that the Council was talking about two separate issues, with the first being the disturbance of the sidewalk due to the removal of the tree and the second being the "sidewalk". He noted that the second issue was raised before the disturbance took place. Mr. Moore reported that the Town Engineer has developed a plan that would provide for a suitable sidewalk in VDOT's right-of-way if the Council actually wanted a sidewalk. He reminded Council that it must meet accessibility requirements.

Councilmember Hazard noted that the existing sidewalk must be repaired. He agreed it was not great; however, he advised that it was now unusable due to the damage done during the tree removal. Mr. Hazard suggested the first issue be repaired and noted that this should fall under the contract. He agreed the remaining question was a separate issue.

Town Administrator Semmes confirmed she would check on this.

Councilmember Littleton opined that this made the entrance to town look bad. He noted that the tree was a focal point and advised that the sidewalk was now the focal point. Mr. Littleton advised that people did walk in this area.

Town Administrator Semmes advised Council that she would make sure the bricks were replaced. She reiterated that she would bring the plan for improving the sidewalk to the Council during the work session.

Vice Mayor Kirk questioned who looked at properties that were not looking good. She noted a property coming into town that was "looking ratty", which was overgrown and had a fence that was partially down. Ms. Kirk suggested the need to address it. Town Administrator Semmes opined that the property cited by Vice Mayor Kirk should be cleaned up before it was sold. Vice Mayor Kirk noted that it was the first thing visitors saw when coming into town.

Town Administrator Semmes noted that the Town had maintenance provisions in the Town Code in terms of historic structures. She further noted that it could also address weeds. Vice Mayor Kirk asked the staff to also look at the fence.

Miscellaneous

Town Clerk North reminded Council that during their last meeting, they approved an amendment to Town Code Chapter 91 pertaining to streets and sidewalks. She further reminded them that at time, they requested the word "tenement" be changed to "tenant" in Section 91-9. Ms. North advised that after reviewing this and consulting with the Town Attorney, they have concluded that the word "tenant" did not fit within the context of this section. She suggested the use of the word "building" or "structure" instead. Ms. North noted that the word "tenement" could also remain in place. After some discussion, Council agreed to go with the phrase "building or structure".

Information Items

Mayor Davis reminded the Council of Shakespeare in the Burg, which was scheduled for April 1-3. She noted that the committee was concerned that online ticket sales were down. Ms. Davis suggested that if the members of Council knew of anyone who was interested in going that they encourage them to purchase their tickets.

Councilmember Murdock noted that she spoke with former Councilmember David Stewart who was sorry to hear that both of the Allens had passed away. She advised that he asked if the Town could set up an email system so that former members could be kept up to date with such news.

Councilmember Shea suggested it be added to the Town's Friday Email Blast. She noted the need to determine how this would be managed.

Town Clerk North reminded Council that announcements such as that were often made during a Council meeting. She further reminded them that the minutes of the meeting were available online for anyone who wanted to read them. Mayor Davis agreed that people could go on line to read the minutes.

Councilmember Shea reiterated her suggestion that this be added to the Friday E-Mail Blast. Councilmember Scheps questioned who would spearhead this.

Councilmember Snyder noted that there were two monthly newspapers in town.

Councilmember Shea announced that she would not be present for the April 14th Council meeting.

There being no further business, Mayor Davis declared the meeting adjourned at 7:36 p.m.

APPROVED:

Betsy A. Davis, MAYOR

ATTEST:

Rhonda S. North, MMC, Town Clerk