



**MIDDLEBURG TOWN COUNCIL
REGULAR WORK SESSION
Minutes**



Thursday, January 28, 2016

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

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

ABSENT: Councilmember Trowbridge Littleton

The Town Council of the Town of Middleburg, Virginia held their regular monthly work session on Thursday, January 28, 2015 in the Town Hall Council Chambers, located at 10 W. Marshall Street. Mayor Davis called the meeting to order at 6:00 p.m.

Status Report – Washington Street Project – A&M Concrete

Jovi Alves and Bryan Grover, of A&M Concrete, appeared before Council to report on the status of the Washington Street Project. Mr. Alves explained that the reason he asked to make this report was that they were experiencing issues with pedestrians and school bus traffic. He reminded Council that while working on Madison Street, they had to close a section of it and reported that there were a lot of angry people who were trying to get to the Hill School.

Mr. Alves reported that when Phase 2 began, they would install a temporary traffic signal, which would initially address traffic starting at The Plains Road and going down to Pendleton Street. He advised that when this occurred, businesses would be affected in some areas by repair work to the sidewalks. Mr. Alves noted that his main concern was deliveries to the businesses and access for pedestrians. He reported that his plan was to go to each business to request their delivery schedules for the time period when they would be in their area so they could identify a delivery location. Mr. Alves noted that they would be working on one side of the street at a time; therefore, there would always be one-way traffic that would be controlled by the temporary traffic signal. He reported that there would be no parking on either side of the street during this time. Mr. Alves confirmed there would be access maintained into all of the buildings and reiterated that he would identify a loading/unloading zone for the business deliveries.

Councilmember Hazard noted the new crosswalks. He inquired as to how much of the sidewalk would have to be removed. Mr. Grover reported that this would vary by block and phase. He reminded Council that all of the street lights would be removed.

Town Administrator Semmes reminded Council that the underground conduit for the streetlights was installed at the same time as the new water line. She reported that there would be sections where the sidewalk would be rebuilt as it was currently in a sand base. Ms. Semmes advised that new sidewalk sections would be placed on a concrete base.

Mayor Davis inquired as to the timeframe for the construction of each phase. Mr. Grover reported that it would take roughly three months to complete each section. He advised that the first section would involve the area between The Plains Road and Pendleton Street; the second would involve the intersections of Pendleton and Madison Streets; and, the third would involve the intersections of Liberty, Hamilton and Jay Streets.

Councilmember Murdock questioned whether the project would involve all of Madison Street. She suggested the need to have a meeting with representatives from the Middleburg Charter School and The Hill School to provide them with the project schedule so they could communicate with the parents. Town Administrator Semmes said she would make sure they meet with representatives from The Hill School.

Vice Mayor Kirk inquired as to the location for the temporary traffic lights. Mr. Grover advised Council that this would change with each phase. He further advised that as to the first phase, the light would be located in front of the first building west of Pendleton Street for traffic that was westbound. Mr. Grover reiterated that this would only allow for one-way traffic on Route 50 on a full-time basis. He explained that east bound traffic would be stopped at the signal during Phase 1 at The Plains Road. Mr. Grover further explained that when the light turned green, the traffic would move into the west bound lane until it was out of Phase 1, at which time, it would move back into its lane. He confirmed there would still be two-way traffic; however, it would share the same lane so it must take turns.

Councilmember Hazard questioned whether this new traffic pattern would be in effect twenty-four hours per day, including rush hours. Mr. Grover confirmed it would. He reported that they have secured state-of-the-art traffic signals to pick up the cars. Mr. Grover opined that the first few days would be difficult as they adjusted the timing of the signal. He advised that a manufacturer's representative would be on the scene to assist with this endeavor. Mr. Grover noted that one of the challenges would be to coordinate with the Madison Street traffic light. He advised that he could not guarantee there would not be traffic back-ups as that was a timed signal.

Councilmember Murdock questioned whether the Madison Street traffic light could be put on a flash sequence. Mr. Grover confirmed it probably could; however, he opined that the turn movements could create a different safety hazard. He advised that he would try to coordinate with that light; however, he could not touch it. Mr. Grover reported that they would begin with a microwave detection system and if that did not work, may go to a timed light to coordinate with the existing timing for the Madison Street light.

Councilmember Shea noted that the changing light may not be apparent on the feeder streets, such as Pendleton Street. Mr. Alves advised Council that the feeder streets would be closed and would have barricades and detour signs on both ends of the block.

Town Administrator Semmes inquired as to how the residents on The Plains Road would access their homes. Mr. Alves advised Council that he would speak with those residents. He noted that if he placed the signs to allow them to access their homes, it would create issues as other motorists would think they could use that route as well. Mr. Alves advised Council that he would do the best he could to let them know of the changes.

Councilmember Hazard inquired as to how the parking lots in this area would be accessed. Mr. Grover confirmed the lots would remain open; however, motorists would not be able to access them from Route 50.

Mayor Davis questioned whether the residents in the houses on The Plains Road would be able to utilize the back street. Mr. Grover confirmed they would. He explained that they would not be able to get to Route 50 from their homes.

Vice Mayor Kirk noted that the entrance to the Salamander Resort was on Pendleton Street. She further noted that Mr. Alves indicated it would be closed. Mr. Alves confirmed they would not close Pendleton Street. He reported that there would be a twenty- to thirty-foot buffer before the closure so motorists could see for a distance as to whether the travel lane on Route 50 was available for travel in the direction they were traveling.

Vice Mayor Kirk asked that Mr. Alves notify the resort of this change. Mr. Alves confirmed he would speak with every business.

Chief Panebianco inquired as to when the temporary traffic signal would be installed. Mr. Grover reported that originally, it was scheduled to be installed by February 15th; however, they were having an issue with the manufacturer of the bricks, who were now saying they would not be available until the first or second week of April. He advised that he would give the Town at least a week's notice of the date the lights would be installed.

Councilmember Murdock inquired as to the date that Phase 1 would begin. Mr. Grover reiterated that the latest date he had was the second week of April. He advised, however, that he was trying to find another source for the bricks.

Councilmember Snyder inquired as to how this would affect the end date for the project. Mr. Grover advised Council that the project must be completed by the beginning of November or liquidated damages would be imposed. He noted that the amount of the damages was high enough that he did not want to pay them.

Councilmember Scheps opined that the contractor did not need to worry about the schools as they would be closed by that time. Councilmember Hazard noted that the Charter School operated year round.

Councilmember Hazard inquired as to the status of the water line lateral connections. Mr. Grover confirmed they would continue to work on those regardless of what occurred with the brick. He reported that they were only two or three days away from finishing the water line, with another two or three days' worth of work on the other end. Mr. Grover further reported that once finished, they would fill and test the line. He advised that once that was done, they would make the connection to the new line and would begin replacing the laterals down to Jay Street. Mr. Grover further advised that they would then do the intersection. He explained that the water line work must be done first and opined that it would be two to three weeks before they wrapped that up and could make the connections.

Town Administrator Semmes questioned whether A&M could install the new street lights without the bricks. Mr. Grover confirmed they could install about half of them. He explained, however, that all of them must be installed before they could be energized.

Town Administrator Semmes questioned whether A&M had experienced any luck finding another brick source. Mr. Grover confirmed they had not.

Town Administrator Semmes advised Council that the problem was the plant that manufactured the bricks that were selected shut down. She further advised that A&M and the staff were trying to find a comparable alternative.

Mr. Grover reported that there was comparable brick available that was modular; however, it was smaller. He advised that they were working with the engineer to see if that was acceptable. Mr. Grover reported that they could use this brick with or without mortar. He advised that the engineer was dead set on using what was in the specifications. Mr. Grover reiterated that they were working with VDOT to change the specifications. He noted that what he was proposing was square and was a half inch smaller. Mr. Grover advised that he was fine using a smaller brick even though it would take more of them; however, he needed the engineer to sign off on it.

Mr. Grover reported that on February 8th, they would start working on the east end water line. He noted that the Town would continue to see them working on the water main.

Town Administrator Semmes reported that prior to that, the Town would notify any affected customers when the work would begin. She expressed hope that these notifications could begin starting tomorrow.

Town Administrator Semmes reported that one of the property owners in the project area, Kent Bein, installed landscaping in the right-of-way that was over the sewer line. She further reported that the construction would come close to a fence that was also located in the right-of-way. Ms. Semmes noted that this has been discussed by the Utility Committee. She advised that if she was living at this location, she would want to have a fence; therefore, A&M was going to try to work around it. Ms. Semmes noted, however, that it was possible that the fence may have to be removed in order to do the work. She advised Council that Mr. Bein has already been warned that if he wanted his landscaping, he must remove it. Ms. Semmes noted that she would call him again tomorrow to remind him; otherwise, the Town would have to charge him for the cost of the removal.

Councilmember Hazard questioned the amount of landscaping in the area. Mr. Grover reported that it was located along approximately one hundred feet of the road. Town Administrator Semmes reported that it included large holly bushes.

Councilmember Shea questioned the length of time that the water would be shut off in order to change the lateral connections. Mr. Grover advised that it would take a few hours per building to remove and replace the meters. He noted that they would install as much of the new service line as possible without impacting the occupants. Mr. Grover reported that he would talk to the business owners to figure out when, during the normal business day, would work best for them.

Councilmember Shea asked that the Town be notified when the public restrooms would be closed for the changeover. She further asked that a sign be posted on the doors.

Mr. Alves opined that the restrooms should not be affected. Mr. Grover reported that he has not reviewed the valve plans yet; therefore, he was not prepared to discuss this. He advised that he would take Councilmember Shea's concerns into consideration.

Council Approval – Sidewalk Easement – Federal Street Office Building

Town Planner Moore advised Council that this action was being taken in conjunction with the Federal Street Office Building Project. He explained that there was an issue that occurred during the planning in that the engineer failed to account for a utility pole and guide wires. Mr. Moore further explained that because of this, a short section of the sidewalk could not be installed as

planned. He reported that Dominion Power would not relocate their pole or allow it to be relocated. Mr. Moore advised Council that the staff has worked with the property owner to reroute the sidewalk so a short portion of it would be located on their property. He noted, however, that if or when the property to the north redeveloped, that property must also connect to the sidewalk on their private property before it could be relocated back to the right-of-way. Mr. Moore opined that if that property redeveloped, there would be a similar easement to consider.

Councilmember Murdock noted that she spoke with the property owner, who was very happy with this proposal. She questioned whether the Town charged him a fee for the resubmission. Town Planner Moore confirmed it did not.

Councilmember Murdock moved, seconded by Councilmember Snyder, that Council approve the Deed of Easement between Federal Street Partners, LLC and the Town for the use and maintenance of a sidewalk at 210 East Federal Street. Councilmember Murdock further moved, seconded by Councilmember Snyder, that the Mayor be authorized to execute said easement.

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

No – N/A

Abstain: N/A

Absent: Councilmember Littleton

(Mayor Davis only votes in the event of a tie.)

Council Discussion – Town’s Role in Christmas in Middleburg

Town Administrator Semmes advised Council that she, the Chief and the Economic Development Coordinator felt this would be a good time to look at the agreement related to Christmas in Middleburg. She reminded them that it was originally set up so all of the parties would have an understanding of each other’s responsibilities. Ms. Semmes suggested this would be a good time to look at what was and was not working and what revisions were necessary. She noted that the agreement stated that it would be reviewed annually.

Councilmember Snyder requested an amendment to the last page of the agreement regarding notifications. He asked that WAMU be added to the list of media outlets that received notifications and opined that they had more listeners than any other radio station in the area.

Vice Mayor Kirk opined that the Town needed more control, as well as a larger role in Christmas in Middleburg. She reported that one business had five huge lanterns that were on the street and sidewalk. Ms. Kirk opined that merchandise and sandwich board signs could not be on the sidewalks during Christmas in Middleburg.

Councilmember Shea agreed with Vice Mayor Kirk. She noted that the Council made a decision to allow sandwich board signs and suggested they needed to make a decision that they were not allowed during major events. Ms. Shea advised that she almost fell due to one.

Councilmember Murdock questioned whether the ordinance allowed for sandwich board signs or whether the Town had simply turned a blind eye to them. Town Planner Moore reminded Council that the Town did not have any enforcement authority in VDOT’s right-of-way. He reported, however, that the Town had provisions that allowed for sandwich board signs anyway. Mr. Moore noted that it included some size limitations; however, it was quite confusing. He questioned the Town’s ability to regulate sandwich board signs other than to prohibit the obstruction of the right-of-way.

Councilmember Snyder suggested that businesses be notified that they could not put out sandwich board signs during Christmas in Middleburg.

Councilmember Murdock inquired as to the enforcement authority that the Town would have in the event the merchants did not comply. Chief Panebianco reported that the Police Department could enforce the blocking of sidewalks. He noted that during this last event, he could not even see the sidewalks.

Vice Mayor Kirk opined that the police were too busy that day to handle this and suggested it be addressed by Town staff.

Councilmember Snyder suggested the Town simply say it was not allowed and if the merchants did not follow the rules, it could then talk about enforcement.

Councilmember Shea opined that this was a safety issue. She reported that the sidewalk was impassable at times.

Councilmember Murdock suggested the Town send out a notice stating that “during Christmas in Middleburg, there will be no sandwich board signs or merchandise on any sidewalk and that failure to comply will result in the offender being penalized under the ordinance related to the obstruction of sidewalks”.

Councilmember Shea noted that by saying it in this manner, the Town would essentially be saying it was permitted at other times. She reminded Council that merchandise was not allowed on the sidewalk.

Councilmember Murdock noted that the Council discussed allowing the display of merchandise.

Vice Mayor Kirk agreed she did not like such displays and opined that they did not look good. She suggested they only be allowed on special days. Ms. Kirk further suggested that having them on a day like Christmas in Middleburg was too much.

Councilmember Murdock suggested the Council address Christmas in Middleburg for now and deal with the merchandise issue later.

Councilmember Shea reiterated that the Town should not say the display of merchandise was not allowed during Christmas in Middleburg as it implied it was allowed at other times.

Town Planner Moore opined that there were ways to state that it was not allowed at other times.

Vice Mayor Kirk inquired as to who had the ultimate control over Christmas in Middleburg. She noted that everyone believed it was a Town event; however, the Town had no control over it other than to cancel it for bad weather.

Councilmember Snyder opined that the Town should have control regardless of whether a parade was held. He opined that the Town did have that control.

Chief Panebianco advised Council that there were some things he thought were important that either were not in the agreement, were in the wrong place or were new. He suggested that consideration be given to other things than inclement weather and explained that all types of threats needed to be addressed. Chief Panebianco reminded Council that the MOU stated that it would take a vote of the Christmas in Middleburg Committee to determine whether the parade went on. He noted, however, that it also stated that the Police Chief could cancel it anyway.

Councilmember Hazard noted that the MOU stated that the Chief could also cancel it for “other prevailing emergencies”. He opined that this addressed any emergency, including a terrorist act.

Chief Panebianco noted that if he had credible intelligence of a possible terrorist attack, he did not want the Christmas in Middleburg Committee to be upset if he had to cancel the event. He noted that in such a case, he would not be able to divulge what he knew and would only be able to say “they could not hold the parade”. Chief Panebianco noted the need for everyone to understand that this may not just apply to snow.

Councilmember Murdock noted that there was a medical emergency that did not allow the parade to start on time; however, the organizers had a problem with that. She noted that the Chief insisted it not begin.

Town Administrator Semmes suggested the MOU be amended to read “...cancel or delay the start of the parade...”

Chief Panebianco advised that if he was reading the MOU correctly, the Christmas in Middleburg Committee had overall management of the parade, including its planning, and that they would coordinate with the Town for permitting, processing and traffic routing. He opined that traffic routing was not the Committee’s responsibility but rather was the Town’s. Chief Panebianco noted that the Town needed to dictate the parade route and how traffic was routed. He advised that he has been asked about changing the parade route; however, he said “no”. Chief Panebianco noted that he did not want to repeatedly fight that battle.

Councilmember Shea suggested the need for the MOU to indicate that the Town was not only responsible for determining the parade route, but also the time limit for when the streets were closed. She further suggested there should not be a four hour long parade.

Vice Mayor Kirk advised that her issue was who should have ultimate control. Chief Panebianco suggested that Item G in the MOU be moved so it fell under the Town’s responsibility.

Councilmember Shea suggested the Committee could make a proposal; however, the Town needed to have responsibility for safety.

Councilmember Snyder suggested the agreement should say the Committee must obtain permission from the Town. Town Administrator Semmes advised that she would rather the Committee get the Town’s approval.

Councilmember Hazard reminded Council that the Chief was invited to attend every Committee meeting. He advised that he was not aware of an issue with the routing.

Chief Panebianco advised Council that the Committee Chair, Jim Herbert, has raised the issue with him on more than one occasion. He explained that he wanted to change the first parade to a different route; however, he told him he could not. Chief Panebianco suggested the MOU be clear that he could deny such requests in the case of an argument.

Councilmember Murdock suggested the starting point for the Hunt Parade was too crowded. She suggested the Town may want to change it.

Councilmember Hazard suggested that, under the MOU, the Committee would coordinate that if it wanted to do so, with the Town having the ultimate authority. He agreed the Town was in charge of safety.

Councilmember Snyder suggested the MOU read that “the Committee must coordinate with and obtain approval from the Town”. He further suggested that if the Town said “no”, the answer would be “no”.

Councilmember Shea opined that Item G was not the problem. She suggested the problem was that it was not listed under the Town’s responsibilities that the Town had the underlying responsibility.

Chief Panebianco suggested this item be changed to state that the “Town shall approve all parade routes.” He noted that this would tell the Committee that they must coordinate with the Town.

Councilmember Shea suggested the need to also think about road closures. Chief Panebianco noted that he handled that anyway. He opined that traffic routing should not be in the agreement as it should only be handled by the Town.

Vice Mayor Kirk noted that a volunteer stopped traffic on Route 50 without checking with the police.

Mayor Davis inquired as to what was meant by “permit processing”. Economic Development Coordinator Pearson explained that a permit must be obtained from VDOT. She further explained that while the permit was under Christmas in Middleburg’s name, the Town assured it was done and the Committee had the proper insurance.

Councilmember Snyder suggested the Chief should approve the route and schedule. Chief Panebianco advised that the current route worked well; therefore, he did not want to change it. He noted that some of the traffic routing would change next year as this year’s event confirmed the need to change the bypass routes so that traffic was never shut down. Chief Panebianco advised that in the future, there would be a way either through or around town during the entire parade.

Councilmember Shea suggested the need to discuss ideas, with the wording being worked out later. She noted that this should not just apply to the parade but also to the other event activities.

Chief Panebianco advised Council that he was also concerned about the arrangements for parking at Salamander and elsewhere. He noted that the Committee was talking about parking vehicles in new locations. Chief Panebianco reminded Council that the MOU did state that the Committee was responsible for addressing ingress/egress for parking and advised that it could not be Middleburg Police Department personnel anymore. He stressed that he was not sending officers into the County any more. Chief Panebianco noted that they did not have to do so during the parade; however, he did after it because the others left. He suggested the MOU include a qualifier that required the Committee to get the “right personnel” to direct traffic on Route 50. Chief Panebianco opined that he would want them to hire Sheriff’s Deputies to do this; however, they would need to do so from the off-duty pool, which cost \$125/hour/officer. He stressed that this needed to be included in the MOU. Chief Panebianco noted that the Committee has discussed some methods to assure traffic was not stopped on Route 50, including the pre-sale of parking passes.

Councilmember Hazard agreed parking was an area where the Committee could do better. He noted that the Sheriff’s Deputies took off at 3:00 p.m., not just at the parking lot but also at Jay Street. Mr. Hazard advised that those positions were critical in order to get people on the bus.

Chief Panebianco reported that he would hold coordination meetings this year. He noted that when he got Sheriff's Department personnel, he did not know who they were until they arrived that morning. Chief Panebianco advised that, in the future, he would use people that he hired and noted that they would be located at critical spaces in the town. He advised that he would also have more detailed plans to identify their locations and what they should do. Chief Panebianco noted that he would tell the officers what they needed to know and give it to them in writing so they would have the specifics. He advised that this training would be done in advance for those individuals hired by the Police Department so they would understand their job.

Councilmember Hazard suggested that, as to parking, the most critical item was to stagger the staff. He noted that, otherwise, they were on duty for twelve hours.

Chief Panebianco opined that they would be here for twelve hours regardless. He noted that these officers were coming from jurisdictions outside of the area and advised that the job must be worth their travel time. Chief Panebianco advised that he told the officers they must be here for eight to ten hours and noted that he would ask for more money in the coming budget so he could guarantee them a twelve hour day. He reminded Council that most officers worked twelve hour days. Chief Panebianco noted that having them longer also would provide an opportunity for them to get ready in the morning and for a debriefing after the event was over.

Chief Panebianco reminded Council that the parade ran longer this year and opined that it was too long. He noted that the Committee was looking at things to address these issues. Chief Panebianco opined that their after-event meeting was productive, with all suggestions being considered for how to make things better. He noted the need to address these issues as soon as possible so there was enough time to develop a plan for the event.

Councilmember Hazard asked that the Chief help the Committee find qualified people to work the streets as he had more resources. Chief Panebianco noted that the Sheriff's Department had a division that dealt with off-duty employment. He advised that he would connect the Committee with the individual with the Sheriff's Department responsible for the hiring.

Councilmember Hazard noted that the Committee would meet again soon. He suggested the need to put these items on the table so they would understand what needed to happen.

Mayor Davis suggested the need for lighting for the parking areas. Chief Panebianco noted that it was up to the Committee to provide; however, he agreed that lighting and signage was needed. He noted that he did not want to say "the Town should not deal with that" as this was a "town" parade; however, he reminded Council that the Town had no jurisdiction in the County. Chief Panebianco advised that this was something that must fall under the Sheriff's Department. He recommended it be included in the MOU so it would be better clarified. Chief Panebianco suggested the MOU be a binding agreement to identify the Town's expectations. He opined that what were being discussed were not major changes – they were just the moving of responsibilities and some tweaks. Chief Panebianco reiterated the need to address them sooner rather than later.

Mayor Davis questioned how this could be addressed if it was not under the Police Department's jurisdiction if the Council wanted the Town to be responsible for public safety overall. She further questioned whether it should be in the MOU that this would occur under the Chief's coordination. Ms. Davis opined that there needed to be some type of lights at the entrance to the parking area so motorists could see the personnel who were directing the traffic at night. She expressed an understanding that this was up to the Christmas in Middleburg Committee; however, she advised that she felt that if the Town was responsible for public safety and there were no lights, the Town must be involved.

Councilmember Shea noted that the Town could only assume responsibility for public safety within its jurisdiction as far as the Police Department was concerned. She suggested that language be included in the MOU that the Committee must coordinate with the County when items were outside of the Town's jurisdiction.

Mayor Davis suggested the need to tie this together. Chief Panebianco agreed. He suggested that language be inserted into the MOU requiring the Committee to secure qualified personnel and provide lighting. Chief Panebianco noted that the Committee was also talking about offering parking on the west end of town, which meant that three jurisdictions would be involved.

Councilmember Hazard advised Council that the Committee started looking at alternative parking two years ago; however, finding a location was difficult.

Vice Mayor Kirk questioned whether there would be a fine for the violation of the sandwich board sign prohibition. Town Planner Moore confirmed there was nothing he could do from a zoning standpoint to issue fines. He advised that the Town's only recourse was to enforce the obstruction of sidewalk ordinance through the Police Department.

Chief Panebianco opined that the easiest thing to do would be to have the officers walk the beat prior to the Christmas in Middleburg event so they could take care of any encroachments beforehand. He advised that they really did not have time to do this; however, he noted that he was at the location cited but could not see the merchandise due to the crowd.

Councilmember Hazard agreed with the need to send out a notice. He opined that the merchants would respond. Chief Panebianco suggested that if they did not, the Police Department could deal with this through the obstruction of free passage ordinance. Chief Panebianco advised that they could confiscate the items if needed.

Chief Panebianco reported that the Committee was also looking at stationary barricades that would prevent injuries due to a horse escape. He noted that this was his fear.

Vice Mayor Kirk noted that money was collected for parking and suggested it be put toward the support of the event. Economic Development Coordinator Pearson reported that the parking proceeds went to pay the people who handled the parking. Councilmember Hazard confirmed the event received nothing from that activity.

Councilmember Shea noted that the Hunt received fees. She questioned whether they could help cover the event's costs.

Councilmember Murdock advised Council that the regular subscribers did not pay a fee, whereas those who came as a guest, with permission, paid a \$250 fee. She explained that the Hunt operated at a deficit and advised that they used every bit of the money they raised to help pay their expenses during the year. Ms. Murdock opined that they could not make a donation.

Chief Panebianco advised that the Committee's discussion centered on the fact that the Hunt Parade was a huge expense for the community.

Councilmember Murdock inquired as to the number of visitors who came just to see the Hunt. She suggested that getting rid of it would be a disaster.

Chief Panebianco opined that the Committee Chair would ask the Hunt for money to help pay for the cost of the lights, parking and buses. Councilmember Scheps opined that he should not. Councilmember Shea suggested this be left up to the Committee.

Chief Panebianco reminded Council that one hundred fifteen horses participated in this year's Hunt Parade. Councilmember Shea noted there were a lot of guests. Councilmember Murdock noted that children rode for free. She suggested that the Hunt could raise their fee, with a portion of the revenue going to Christmas in Middleburg.

Councilmember Snyder suggested the Town limit the number of equestrians participating in the Hunt Parade.

Councilmember Murdock agreed there were too many people in the Red Fox Inn's parking lot. She suggested this was a disaster waiting to happen. Ms. Murdock suggested there were two choices – limit the number of horses in the Hunt or break tradition and not go into the Red Fox Inn's parking lot.

Councilmember Snyder suggested the number of participants be limited. He noted that the Hunt used to consist of only twenty horses. Mr. Snyder suggested a reasonable number be identified.

Chief Panebianco opined that if the number of horses was limited to fifty or sixty, it would be a beautiful parade. He suggested participants would pay more money if the event was exclusive.

Councilmember Murdock opined that this would encourage people who usually did not ride to pay a fee to be in the parade. She advised that in the past, participants used to know how to ride and could control their horse if there was a panic.

Vice Mayor Kirk opined that this was a public safety discussion and noted that the Chief was concerned about attendees' safety given the horses. She suggested the Council could say it had a concern and limit the number of horses.

Chief Panebianco deferred to Councilmember Murdock and noted that she was in the parking lot and knew when a horse was ready to do something stupid. He opined that it was nerve racking to see kids running between horses that were bumping into each other because they were in too small of a space.

Councilmember Murdock noted that the Hunt members already met at the Salamander Resort. She suggested the horses be taken out their front drive to the back street and then to Route 50. Ms. Murdock opined that this would be a better route from the standpoint of safety.

Chief Panebianco asked that this be inserted into the MOU so he could work it out with the Committee.

Councilmember Hazard questioned whether the Council wanted to establish a limit on the number of horses during this meeting. The Council agreed it did not.

Councilmember Hazard suggested the need to also construct hard barricades.

Councilmember Shea suggested the issue before Council was not what needed to be done but was what went into the MOU so the Town could take back its authority to be the last word on safety issues.

Vice Mayor Kirk noted that the MOU did not address clean up. She suggested the Committee needed to be responsible for garbage so that duty did not fall back onto the Town.

Economic Development Coordinator Pearson opined that it ultimately went back to the Town as they provided the final pick-up. She noted that the Committee picked up the trash from the trash cans and placed it in one location, with the Town's employees then picking up the bags. Ms. Pearson suggested the need for dumpsters. Vice Mayor Kirk reiterated that there was no process for addressing trash in the MOU.

Mayor Davis noted that no one provided pooper scooper services and suggested this also needed to be addressed.

Councilmember Shea suggested the need for better supervision of the porta potties. She noted that they banged into her building all day long because they were set too close to it. Ms. Shea further noted that they were spread around town this year and advised that she did not know whether the Committee had permission to do so.

Mayor Davis opined that the Committee was supposed to coordinate this with the Town and noted that it was in the MOU. She suggested the Town may need to have a list of locations.

Councilmember Shea questioned whether Christmas in Middleburg secured a special use permit. She noted that this permit process required a list of things that would be checked. Economic Development Coordinator Pearson advised Council that the Committee applied to the County, who then sent the information to VDOT, the Sheriff's Department and the Police Department.

Councilmember Shea questioned whether the County asked for a list of the locations of the restroom facilities. Economic Development Coordinator Pearson confirmed they did not.

Councilmember Shea questioned why they were not asked for that information. Chief Panebianco explained that the County system was not a permit system, but was a notification one. He suggested this went back to the MOU. Chief Panebianco opined that anything that was safety, health or sanitary related fell under the Town's responsibility. He opined that things worked well when the parade was small; however, this was not the case as it got larger. Chief Panebianco noted that it may continue to grow and suggested the need for a method to stop the growth. He opined that the Town must be the authority. Chief Panebianco suggested the MOU be worded to make it clear that safety or health aspects must be approved through the Town.

Mayor Davis suggested the MOU should say "the Town had the authority to limit the capacity of the crowd". Councilmember Hazard questioned how this could be done. He noted that the Committee estimated the crowd; however, they missed it by fifty percent. Mr. Hazard acknowledged that the attendance was growing fast and advised that the Committee was looking to limit the crowd. He noted that in the past, they have charged a nominal fee for parking and advised that they were now talking about increasing it heavily.

Councilmember Shea advised that she had a problem with that. She noted that families that did not have large incomes would no longer be able to participate in parking for the parade. Ms. Shea suggested the Committee instead consider requiring participants to secure a parking permit on-line, with the amount of available parking being limited.

Councilmember Hazard inquired as to what the Committee was supposed to do with those attendees who showed up that day. He opined that this would create a traffic bottle neck.

Councilmember Shea suggested that, in that case, a large fee could be charged. Councilmember Murdock opined that this would not be fair for families.

Councilmember Hazard suggested the fee be \$20/car load. Economic Development Coordinator Pearson noted that this was how this problem was corrected at Great Meadows. She advised that they used color-coded lots, sold permits on-line and charged an increased fee.

Mayor Davis opined that this would not address the problem as people who lived in town would still attend and people who knew people who lived in town would attend. She suggested they would simply plan other ways to attend the event.

Councilmember Hazard opined that limiting the crowd was problematic. He suggested limiting the number of parade entries.

Councilmember Shea suggested the Committee limit the amount of advertising done for the event. Economic Development Coordinator Pearson advised Council that the Committee did not pay for any advertising. She further advised that any promotion was the result of the media picking up on the press releases that were issued.

Mayor Davis opined that the Committee was on the right track toward working out the issues. Chief Panebianco suggested they simply needed to be addressed through the MOU.

Councilmember Hazard asked that any revisions be sent to the Committee so they could provide input before they were finalized. He noted that a lot of thought went into planning the event and advised that the Committee met on a monthly basis.

Councilmember Shea noted that the Council was doing what the MOU stated, which was reviewing it. She expressed hope that the Committee and the Middleburg Business and Professional Association would also review it.

Councilmember Snyder suggested the staff return with draft revisions that could be reviewed by both the Council and the Christmas in Middleburg Committee. He opined, however, that the Council should have the final authority on changes. Mr. Snyder suggested the Town get the Committee's input.

Vice Mayor Kirk suggested the members of Council let the staff know if they saw anything in the agreement that was glaring.

Chief Panebianco suggested the revisions be based upon what the Council has discussed. He opined that no one would balk at moving items. Chief Panebianco reminded Council that the Committee worked well; however, he noted that they were not necessarily talking about this particular committee as the make-up would change over time, as would the members of Council and the Town staff. He suggested the MOU needed to be written well enough so that when those changes occurred, it would still define everyone's responsibilities.

Councilmember Shea suggested that a month or two before the event, the Council receive feedback from the Christmas in Middleburg Committee, not the Town staff, on what they were doing and what was different. She asked that this be done annually.

Councilmember Hazard suggested this be done twice a year, including once in February. He advised Council that a lot of what has been discussed during this meeting was also discussed during the Christmas in Middleburg Committee meeting.

Councilmember Murdock asked that another report be provided in October or November.

Councilmember Shea opined that there needed to be cooperation. She noted that the Council and staff would hear from the public if something was not done right. Vice Mayor Kirk agreed the Town would get any blame.

Town Administrator Semmes noted that the Town Clerk has made notes of the Council's discussion. She opined that the Chief and Economic Development Coordinator would make sure Council's concerns were addressed.

Mayor Davis asked that the revisions be placed on a work session agenda once they were ready.

Vice Mayor Kirk asked that the Christmas in Middleburg Committee be placed on the schedule of committee reports.

Councilmember Snyder asked that the draft revisions be sent to the Committee the same time they were sent to the Council.

Vice Mayor Kirk asked whether the Town Clerk attended Christmas in Middleburg in order to help with the organization. Town Clerk North confirmed she did not; however, she advised that she was happy to do so if needed. Vice Mayor Kirk opined that the Town Clerk's organization skills could be useful. Councilmember Shea opined that the Town Clerk did not need to be there that day as by that time it was too late.

Chief Panebianco thanked the Council and Christmas in Middleburg Committee. He opined that it was an awesome event; however, it has grown to the point where changes must be made.

Vice Mayor Kirk suggested there should be less Corgis in the event. Councilmember Murdock suggested the need for fewer entrants so the parade would not be as long.

Councilmember Hazard suggested the need to marshal the parade so there were no gaps.

Councilmember Murdock opined that the parade was too long and noted that it was dark when it ended. Councilmember Hazard reported that the Committee was talking about moving the start time up by thirty minutes. He advised that their prime concern was safety and noted the need to get the attendees back to their cars before dark.

Councilmember Murdock reminded Council that in the past, the idea was to get attendees to stay for lunch and again for dinner; however, there was no food left after lunch.

Mayor Davis thanked the staff for their work during the recent snow storm. She noted that Chief Panebianco, Lieutenant Prince and Facilities & Maintenance Supervisor Simms were here for days. Ms. Davis further noted that Town Administrator Semmes, Economic Development Coordinator Pearson and Town Clerk North worked behind the scenes to keep the residents informed. She reported that she received lots of compliments on the Town's snow removal efforts.

Chief Panebianco announced that a caucus of Congressmen were in town during the snow event and advised that they were very impressed by the Town's snow removal efforts.

Council Discussion – Virginia Commission for the Arts Grant Application

Economic Development Coordinator Pearson reminded Council that it was time to apply for the Virginia Commission for the Arts grant funds. She reported that it was possible that some other art organizations may want to apply for these funds. Ms. Pearson noted that she sent the

information on the grant to the Middleburg Arts Council and suggested the National Sporting Library and Museum should also be aware of it if they were not. She reported that the Town of Leesburg split the \$5,000 grant proceeds among a number of organizations. Ms. Pearson noted that Council has received a copy of the letter from Bluemont Concerts requesting funding.

Councilmember Snyder opined that filing the paperwork for an organization to submit for the grant was onerous. He suggested that if anyone else wanted the grant, they needed to send their paperwork to the Town so it could send it to the Commission for the Arts. Mr. Snyder advised that he did not want the staff putting that information together.

Economic Development Coordinator Pearson reminded Council that she prepared the Town's portion of the grant application.

Councilmember Snyder opined that Bluemont did a "yeoman's job" of preparing its information so the staff could complete the grant application. He suggested that if other organizations were not willing to do the same, they should not ask the Town for money.

Councilmember Murdock questioned whether it was correct that the Commission for the Arts matched up to \$5,000 per application. Economic Development Coordinator Pearson reminded Council that the amount of the grant was limited to \$5,000 per locality. She noted, however, that the Town did not need to limit the distribution of the grant proceeds to one organization.

Vice Mayor Kirk noted that she was fine allowing other organizations to apply for the grant funding. She advised, however, that she liked having the concerts on Madison Street.

Councilmember Murdock questioned whether Shakespeare in the Burg could apply for the grant proceeds. Economic Development Coordinator Pearson confirmed they could. She noted, however, that their event planning was already underway and opined that they may not be ready to apply this year. Ms. Pearson suggested the National Sporting Library could apply for it for their Open Late concerts.

Town Administrator Semmes noted that it was up to the Council to decide how the money would be divided.

Councilmember Snyder noted that the State would donate \$5,000 to each eligible locality, with the Town of Middleburg being eligible. He further noted that Bluemont has been the only organization that submitted an application.

Economic Development Coordinator Pearson advised Council that information about this grant has been in the news; therefore, more organizations have learned of it in the last year. She reported that Bluemont has asked for \$10,000 from the Town. Ms. Pearson suggested that if another organization, such as Shakespeare in the Burg, asked for a portion, the Council could distribute it based on percentages.

Mayor Davis questioned whether the other organizations were aware that they needed to provide paperwork if they were interested in the grant proceeds. Economic Development Coordinator Pearson noted that she was not sure the National Sporting Library was aware of this; however, the other organizations were. She reported that the Community Center was not eligible to apply.

Economic Development Coordinator Pearson reiterated that Bluemont asked the Town for \$10,000, plus the \$5,000 grant, for a total of \$15,000. She noted that the Town may not be able to give them that much.

Councilmember Shea inquired as to the percentage of Bluemont's budget that \$15,000 represented. Councilmember Snyder reported that the Bluemont's total budget was \$350,000. Councilmember Scheps noted that this equated to about five percent (5%).

Councilmember Shea inquired as to how much the Towns of Leesburg and Round Hill donated to Bluemont. Town Administrator Semmes reported that Leesburg did not provide Bluemont with any funding.

Councilmember Snyder advised Council that Bluemont was hurting for money. He noted that if the \$5,000 in grant proceeds were divided, there was nothing Bluemont could do about it. He agreed that anyone should be able to apply for the proceeds.

Councilmember Shea questioned whether all of the communities gave Bluemont the kind of money that Middleburg gave. Economic Development Coordinator Pearson confirmed that Middleburg gave the largest amount.

Mayor Davis inquired as to the source for the majority of Bluemont's funding. Councilmember Snyder advised that they received a lot from donations. He opined that if municipalities did not contribute, Bluemont would go under.

Vice Mayor Kirk questioned whether Middleburg was the only locality that provided funding. Economic Development Coordinator Pearson confirmed that others did; however, Middleburg provided the largest amount. She noted that she could request a report of their funding breakdown. Councilmember Snyder noted that Warrenton and Winchester also donated to Bluemont.

Councilmember Shea asked that the Council look at the percentage that Middleburg paid. She also asked that it compare this amount to what other communities paid.

Councilmember Snyder agreed that Middleburg's donation "staked up well" against other localities' donations. He suggested, however, that another consideration was how many people the concerts drew in. Mr. Snyder opined that Madison Street was great for Bluemont because it was a location that people could see; therefore, it drew in more people. He explained that in Winchester and Leesburg, Bluemont survived on the gate admissions. Mr. Snyder noted that while Leesburg did not give a donation, a lot of people attended and paid the gate admission. He acknowledged that Middleburg gave generously; however, he advised that its gate admission revenues were only \$400-500.

Council Discussion – Draft Ordinance Pertaining to Animals

Councilmember Murdock asked that roosters not be allowed. Vice Mayor Kirk agreed.

Councilmember Snyder expressed an objection to the use of the term "feral" when discussing a companion animal. The Council discussed the use of the word "feral". Town Clerk North explained that the definitions were based upon the State Code.

Mayor Davis summarized that roosters would be removed from Section 30.2-4.

Councilmember Scheps questioned whether residents could have hens and if so, how many. After some discussion, the Council agreed to allow for up to five (5) hens, but no roosters.

Vice Mayor Kirk noted the section regarding the keeping of swine. She questioned whether this also applied to pot belly pigs. She noted that miniature pigs could be cute and advised that there may already be one in the Ridgeview Subdivision. Council agreed it did not want to allow the keeping of any pigs in the town limits.

Councilmember Shea questioned whether the ordinance could say “includes these things, but not limited to” with regard to livestock. Town Administrator Semmes noted that this language came from the State Code. She further noted that there was a list of the kind of animals identified as “livestock”.

Town Clerk North advised Council that this draft was based upon the previous ordinance that was on the books. She further advised that she did update the definitions to conform to the State Code. Ms. North noted that the staff needed to know what the Council wished to change.

Vice Mayor Kirk noted that some people raised animals so they could sell them. She questioned how the selling of animals would be affected. Town Clerk North reported that the County Code did include a section that dealt with pet shops; however, it did not deal with a home occupation type of situation as described by Vice Mayor Kirk. She noted that this would be the operation of a business; therefore, it would be a zoning question.

Councilmember Shea noted that this would involve the issue of enforcement. She opined that the Council would not want to allow a puppy shop in the residential neighborhoods. She questioned whether this was already addressed in the State or County Code. Town Administrator Semmes noted that it was normally addressed in the zoning ordinance.

Town Clerk North noted that Front Royal addressed this through the adoption of an ordinance that allowed for the keeping of a certain number of dogs, after which the owner would be considered to be operating a kennel, with a special use permit being required. She reiterated that the operation of a business was a zoning issue and advised that the ordinance before the Council was not a zoning one.

Councilmember Shea asked the staff to look at this issue. Mayor Davis suggested that if a person was operating a business, they must have a business license. She opined that this should not be allowed in a residential area. Councilmember Snyder noted that he liked the suggestion that after a certain number of dogs, the owner would be considered to be operating a kennel, which would require a special use permit.

Mayor Davis questioned whether livestock could be kept in the town limits. Town Administrator Semmes confirmed it was only allowed in the Agricultural District.

Councilmember Hazard suggested the roosters have their own section.

Town Clerk North advised Council that she would revise the draft and bring it back to them for further consideration.

Council Discussion – Parking Meters

Town Administrator Semmes advised Council that the staff had no additional information regarding the options. She reminded them that the options included the purchase of parking stations, upgrading the existing parking meters or going to a sign system. Ms. Semmes advised that the staff needed direction from the Council on whether to continue to go with a paid parking system or to move to signage. She reminded Council that signage would still involve a timed parking system and noted that under it, the Police Department would chalk tires.

After considerable discussion, the Council agreed to continue to utilize a paid parking system.

Chief Panebianco advised Council that the staff would return with specific options for paid parking, including the cost. Town Administrator Semmes reminded Council that paid parking would cost the Town as it must either upgrade the existing meters or go to paid parking stations. Chief Panebianco noted that a third option was a hybrid system, utilizing both meters and parking stations. He advised that he would obtain prices for the options for discussion within the next couple of Council meetings.

Councilmember Hazard inquired as to how much revenue was received from the parking meters. Town Administrator Semmes advised that it was approximately \$25,000/year. Chief Panebianco opined that this would increase once the meters were working properly.

Councilmember Hazard opined that the Council needed to do a cost analysis of replacing versus not replacing the meters. He noted the time required to also chalk tires.

Chief Panebianco reminded Council that he currently had an officer who tested the meters monthly to see if they worked and, if not, tagged them so they could be fixed. He reported that the officer spent twelve hours per month checking meters, which would not have to be done with new meters. Chief Panebianco advised that the staff would give the Council some options of what it thought was best. He noted that they may visit some localities to look at their meters to make sure that what the staff was proposing would work.

Councilmember Shea asked that the staff determine the average fee for an hour of parking so the Council could also look at that and how it would affect retail sales.

Town Council Reports

Councilmember Murdock requested that the Chief report on health issues related to his staff. Chief Panebianco reported that one of the employees had hip replacement surgery and was doing well. He further reported that the employee would be released to return to work on February 1. Chief Panebianco advised that the other employee was working light duty and reported that the projected date for that employee to return to full duty was April 1, provided he continued to improve as he has been doing.

Discussion

Vice Mayor Kirk noted that she called IES when she did not have any water; however, she could not understand what the operator was saying and he hung up on her. She advised that he did not take her name or phone number and simply said “they were working on it”. Ms. Kirk suggested that if a water problem occurred in the future, the residents be notified via the automated phone alert system.

Town Administrator Semmes advised Council that when there was a water outage, her approach was to knock on the doors of those affected. She noted that the phone alert could notify someone who may not be affected by the water outage.

Councilmember Snyder agreed the best way to make this notification was to knock on doors and tell people. He opined that the issues during this break were exacerbated by the storm.

Vice Mayor Kirk questioned whether the Police Department should be doing this. Town Administrator Semmes opined that they should and noted that IES would be working to repair the broken line. She advised Council that the staff only expected the residents of Chestnut Street to be affected during the break, which was the area the Police Department notified. Ms. Semmes advised that she did not find out that a larger area was affected until the repairs were nearly complete.

Councilmember Shea noted that she was at work when this occurred. She advised that when she returned home, she found that her water was brown. Town Administrator Semmes noted that IES did flush the line.

Councilmember Snyder noted that he noticed air in the line and a brief period of discoloration. He opined that other residents saw more, which was why he asked Vice Mayor Kirk for her feedback.

Town Planner Moore reported that a few bills have been introduced by members of the General Assembly that would preempt a locality's ability to regulate short-term rentals of thirty days or fewer. He advised that under those bills, anywhere a residential use was allowed, short-term rentals would also be allowed and there would be no local authority to have a say as to whether they should be permitted. Mr. Moore noted that the proposed bills did give localities the ability to adopt certain ordinances to address some types of impacts, such as parking, noise and signage; however, there was no mechanism offered to enforce them. He explained that under the proposed bills, a property would not be required to register this use with the locality; therefore, the locality would not know where they were located.

Councilmember Murdock questioned why the rental of homes would not be considered to be a business. Town Planner Moore explained that the proposed legislation would exempt them from being a business; therefore, they would not have to pay BPOL or other local business taxes. He noted, however, that the State would still get their taxes. Mr. Moore advised that localities would have the option, if they could work with the provider (such as Airbnb), to enter into an agreement with the State Department of Taxation so they could collect the applicable taxes and submit them to the State. He explained that the property owner would still be responsible for paying the local transient occupancy tax; however, they would submit it to the State, who would then return it to the locality.

Town Planner Moore noted that the other thing that was disturbing about this legislation was that it would preempt anyone from auditing the property owner, other than the State; therefore, localities would have no ability to determine when payments were due.

Councilmember Hazard inquired as to who sponsored the bills. Town Planner Moore reported that Delegate Peace and Senator Vogel did so for bills in their respective chambers. He further reported that Delegate Minchew reached out to the staff and stated that he would oppose the bill in the House as he was on the General Laws Committee.

Councilmember Hazard suggested the staff also reach out to Senator Vogel. Town Administrator Semmes explained that the staff was bringing this to the attention of the Council to determine whether they wished to take a position on this matter.

Town Administrator Semmes reported that another bill that was before the General Assembly would limit a locality's ability to raise BPOL taxes by capping them to what they were as of January 1, 2016. She noted that the Town was not talking of raising them.

Town Administrator Semmes advised that the bill was still alive that would require candidates to identify their political party on a ballot. She noted that the staff would continue to watch those.

Councilmember Snyder reported that he wrote to Delegate Minchew and other members of the committee. He advised that Delegate Minchew replied and stated that he did not favor of any of the local election bills. Mr. Snyder noted that Delegate Minchew stated that officials from Leesburg told him they regretted moving their elections to November.

Councilmember Shea inquired as to the number of Senator Vogel's bill. Town Planner Moore reported that it was SB 416.

Vice Mayor Kirk inquired as to how the Council could reach out to her. Town Administrator Semmes suggested an e-mail be sent. She further suggested that she work on this with the Mayor. Councilmember Murdock asked that the email indicate that the Council was really concerned about this bill as it would hurt small towns. Mayor Davis noted that she would send a copy of the email to the members of Council.

Town Planner Moore noted that the bills did not apply to the primary use of the residential dwelling unit; therefore, it must remain as a household living unit, which would eliminate properties from being purchased solely for this use.

Town Administrator Semmes reported that the staff had Climatic in to follow up on the Town Office mold remediation. She advised that there were some improvements the staff would like to make, which included creating better ventilation in the crawl space. Ms. Semmes reported that Climatic has recommended addressing the leaking condensate drain by rerouting the existing pipe in the crawl space to a new external area and replacing one of the existing passive ventilation grills with a tjurnland powered crawl space ventilation system with a thermostatic control.

Councilmember Hazard questioned why a thermostatic system was proposed. Town Administrator Semmes opined that the unit did not need to run in the winter – only the summer. Economic Development Coordinator Pearson opined that it was related to humidity. Councilmember Snyder noted the need to get rid of the humidity. He opined that there was no need to care about the temperature.

Town Administrator Semmes advised that the final item in Climatic's proposal was to heat the restrooms. Town Clerk North explained that the restrooms were not heated and could be quite uncomfortable during the cold winter months.

The Council authorized the staff to proceed with the improvements as requested.

Closed Session – Personnel

Vice Mayor Kirk moved, seconded by Councilmember Scheps, that Council go into closed session as allowed under the Virginia Freedom of Information Act Section 2.2-3711(A)(1) pertaining to the discussion, consideration or interviews of prospective candidates for employment, assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees or employees of the public body. Vice Mayor Kirk further moved, seconded by Councilmember Scheps, that these matters be limited to a discussion of temporary duties of the Economic Development Coordinator. Vice Mayor Kirk further moved, seconded Councilmember Scheps, that in addition to the Council, the following individuals be present during the closed session: Martha Mason Semmes. Vice Mayor Kirk further moved, seconded by Councilmember Scheps, that the Council thereafter reconvene in open session for action as appropriate.

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

Mayor Davis 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 each member so did. She reminded those present for the closed session that any discussion that occurred within it should be treated as confidential.

There being no further business, Mayor Davis declared the meeting adjourned at 8:29 p.m.

APPROVED:

Betsy A. Davis, Mayor

ATTEST:

Rhonda S. North, MMC, Town Clerk