



**MIDDLEBURG TOWN COUNCIL  
REGULAR WORK SESSION  
MEETING MINUTES**



**JUNE 22, 2017**

**PRESENT:** Vice Mayor Darlene Kirk  
Councilmember J. Kevin Daly  
Councilmember Peter Leonard-Morgan  
Councilmember Trowbridge "Bridge" Littleton  
Councilmember Philip Miller  
Councilmember Mark T. Snyder

**STAFF:** Rhonda S. North, MMC, Town Clerk  
William M. Moore, Town Planner  
Ashley M. Bott, Town Treasurer

**ABSENT:** Mayor Betsy A. Davis  
Councilmember Kevin Hazard

The Town Council of the Town of Middleburg, Virginia held their regular monthly work session on Thursday, June 22, 2017 in the Town Hall Council Chambers, located at 10 W. Marshall Street. Vice Mayor Kirk called the meeting to order at 6:00 p.m.

**Annual Report** – Go Green

Rebecca Poston, Chair of Go Green, reminded Council that during the past year, they have had a change of leadership in the form of their Council representative. She noted that in the past, their representative was Kathyjo Shea, who was wonderful at giving guidance, and it was now Councilmember Leonard-Morgan. Ms. Poston advised that they were enjoying his can-do attitude.

Chair Poston advised that Councilmember Leonard-Morgan was actively looking for potential new members and reported that the Town Clerk sent her an application from one. She noted that the application was from Rick Allison, owner of the King Street Oyster Bar, and advised that they recycled their oyster shells. Ms. Poston reminded Council that the other members of the committee included Lynne Kaye, Mary Woodruff and herself.

Chair Poston reported that over the past year, Go Green held Spring Clean-up on April 8th. She noted that the Boy Scouts took on the stream clean-up from The Plains Road to the pond behind the Baptist Church and advised that they collected four full bags of trash. Ms. Poston reported that a total of ten bags were collected throughout the entire town. She noted that during this event, Committee Member Kaye noticed the large number of cigarette butts and prepared a report on the amount of toxins in them. Ms. Poston reminded Council that if they were not picked up, they would wash into the water system, which was bad for the environment, and reported that they planned to address how to keep the town cleaner.

Chair Poston reminded Council that battery recycling was another event that Go Green did in order to keep toxins out of the landfills. She reported that one gentleman brought a huge bag of batteries that he had been collecting for years.

Chair Poston noted that Go Green purchased six folding, as well as pop-up, recycling containers that could be used by the Town for events and advised that they just used one for the HEAL 5K. She reminded Council that the containers were stored in the Town Shop.

Chair Poston reported that Go Green organized the Middleburg HEAL Expo and the Middleburg Charter School organized a 5K. She advised that the Expo included twenty-six local companies, nine speakers and five sample exercise classes. Ms. Poston noted that everyone was excited to participate, offered positive comments and wanted to do it again next year. She opined that the 5K would probably be split from the Expo in the future as the runners did not feel comfortable coming into the Expo. Ms. Poston thanked the Town staff for their assistance with the event.

Chair Poston reported that in the coming year, Go Green would like to address reducing water usage and doing a Walk Your City campaign. She advised that they would like to do another HEAL Expo, Spring Clean Up, battery recycling, and litter and cigarette butt removal programs. Ms. Poston noted that they would also like to do a Middleburg paperwork reduction campaign. She advised that the amount of paperwork she generated in real estate was hideous and noted that she would love to see the system the Town came up with.

Vice Mayor Kirk thanked Go Green for their hard work.

Councilmember Leonard-Morgan noted that Go Green would participate in National Night Out this year.

Vice Mayor Kirk suggested they help with the proposed food festival to make sure they recycled.

**Addition of Item to the Agenda**

*Councilmember Snyder moved, seconded by Councilmember Miller, that Council add item 3A (Council Approval – EDAC Special Events Funding Recommendations) to the agenda.*

Vote: Yes – Councilmembers Kirk, Daly, Leonard-Morgan, Littleton, Miller and Snyder

No – N/A

Abstain: N/A

Absent: Mayor Davis and Councilmember Hazard

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**Council Discussion/Approval** – MOU for Middleburg Food Fest & Oyster Roast

Jim Herbert, Chairman of the Christmas in Middleburg Committee, and Vincent Bataoel appeared before Council to discuss the proposal for a Middleburg Food Fest & Oyster Roast. Mr. Herbert noted that they were not present to ask anything of the Council and explained that they were at the meeting simply to answer questions.

Vice Mayor Kirk questioned whether this was the final name and advised that she felt bad as it seemed to make oysters prominent. She reminded Mr. Herbert that there were a lot of restaurants in town. Ms. Kirk suggested the word “oyster” did not need to be in the title. She opined that this was a great idea and advised that she was totally behind it.

Mr. Herbert confirmed they were not tied to the title. He noted that the genesis of this event was the work that Councilmember Leonard-Morgan and Mr. Bataoel did with the oyster bar. Mr. Bataoel opined that it would not be a problem to remove the word “oyster” from the name. He noted the importance of including everyone.

Councilmember Miller suggested it be the “Middleburg Food & Wine Fest”. Councilmember Littleton agreed it would be an issue to not include the wineries given that there were three of them and a distillery within a mile of town. Mr. Herbert advised that the Council’s enthusiasm was encouraging.

Vice Mayor Kirk reiterated that it was a great idea as Middleburg had some really good restaurants and wineries. She opined that everyone was behind it.

Councilmember Daly questioned whether a date had been set for the event. Mr. Herbert explained that the idea was to not impinge on the Middleburg Film Festival or Christmas in Middleburg. He suggested it could not be done before Labor Day as no one would be around. Mr. Herbert further suggested it be held in early fall. He opined that if it was two or three weeks away from the Film Festival, it would be good. Mr. Herbert noted that the purpose of his presence was to massage these types of questions. He advised that what he knew from Christmas in Middleburg and the Middleburg Futures’ Group survey was that people loved to have a special event as the trigger to come to Middleburg. Mr. Herbert explained that this would be another special event.

Vice Mayor Kirk reiterated that this was a great idea and that the Council was behind them on it.

Mr. Herbert expressed his appreciation and advised that knowing they would have the cooperation of the Town solved a lot of issues, such as those in the public safety realm. He noted that he and the Town staff worked well on all of the public safety issues. Mr. Herbert opined that VDOT was also more responsive to the Town for street closures than to him. He advised that other considerations were things such as he could not imagine doing this without the assistance of the Facilities & Maintenance Supervisor. Mr. Herbert explained that this was the genesis behind the proposed MOU. He advised that he would be happy to consider any edits the Council may want. Mr. Herbert explained that the idea was to do a “soft” event this fall by letting each restaurant decide what they wanted to feature. He reported that the committee would feature all of the restaurants doing something this year and would get the date established. Mr. Herbert suggested that next year, it would be organized as an outdoor, off-premises event as opposed to an on-site one.

Vice Mayor Kirk questioned whether Mr. Herbert was thinking of closing South Madison Street. Mr. Herbert confirmed he was for this year and suggested that he see whether Rick Allison, of the oyster bar, could rent outdoor cookers to do oyster steaming demonstrations.

Councilmember Leonard-Morgan noted that Madison Street was close to the new Thai restaurants.

Mr. Herbert expressed a desire to get Federal Street fully integrated into the 2018 version.

Councilmember Snyder suggested the name be the “Middleburg Fall Food Fest”. Mr. Herbert noted that he liked that name.

Councilmember Littleton questioned whether Mr. Herbert had spoken with the Middleburg Business & Professional Association (MBPA). Mr. Herbert confirmed he had spoken with people who were members of the MBPA; however, he had not talked with their Board of Directors. He explained that the reason was that he presumed he needed something from the Town to address issues such as public safety and public services. Mr. Herbert advised that as to having the MBPA commit to doing something, he was not presuming they would have the wherewithal to do so.

Councilmember Littleton noted that the MBPA was a ready-made organization that all of the restaurants and wineries were a part of, plus they had other ancillary members. He suggested they may have input in how to make this event successful and to draw from their customer base. Mr. Littleton opined that it was a mistake to not work with them.

Mr. Herbert confirmed he would use them as stakeholder just as they used other organizations in the area. He opined that they could assist with co-channeling, co-marketing and co-operating; however, he would not presume that they had funding to commit or that this would be a responsibility they would fulfill. Mr. Herbert reminded Council that the MBPA backed away from the 2017 Christmas in Middleburg.

Councilmember Snyder suggested they be given a chance to offer feedback for what they wanted to do next year and opined that they would want to do something.

Mr. Bataoel opined that their support would be instrumental to making this event a success.

Mr. Herbert advised that he would love to hear what they saw as a role for themselves; however, he did not want to presume it.

Councilmember Littleton advised Mr. Herbert that he expected engagement to happen. He noted that if the MBPA chose not to do so, this was fine; however, it should not be because they did not know about it.

Mr. Bataoel opined that, at some point, they would reach out to the community as the event would take a lot of volunteers.

Mr. Herbert explained that the Town was his first stop as there was no point in talking to anyone if he could not get past the point of the draft MOU.

Councilmember Littleton expressed concern with supporting the event if the MBPA was against it. He opined that it would be good to know where they stood.

Mr. Bataoel questioned how anyone could be against it. Vice Mayor Kirk noted that it would bring business to town.

Mr. Herbert reiterated that he was doing this step-by-step, with the Town being the first step. He advised that if he received the green light, he would then talk to others.

Councilmember Littleton noted that the MOU included a provision that the Town would provide financial assistance. He questioned what Mr. Herbert was looking for.

Mr. Herbert advised that at this point, he was not looking for a hand out. He reiterated that what was proposed was a soft opening this year. Mr. Herbert suggested that if the Town wanted to provide \$1,000-2,000 for co-marketing, he would spend it on Facebook post boosts and things of that nature.

Councilmember Daly noted that there would be costs to the Town, such as the cost for additional patrol officers and transportation.

Councilmember Snyder opined that no transportation assets would be needed for the soft opening. He agreed they may be needed the next year.

Councilmember Littleton inquired as to the target number of participants. Mr. Herbert advised that he would like to see 2,000-3,000 people over the course of a day-long event, unless the restaurants wanted a two-day promotion.

Councilmember Miller questioned where the attendees would park and noted that this would be approximately 1,500 cars. Mr. Herbert advised that in the old days of Christmas in Middleburg, they just used the Salamander field as the designated parking resource. He noted that Reggie Cooper had weighed in positively on this idea; therefore, he thought Salamander would support using the field as the parking resource. Mr. Herbert reminded Council that based on past experience, they could place eight hundred cars in the field over the course of the day, which should be more than enough for 2,000-3,000 people.

Councilmember Snyder opined that having 2,000-4,000 attendees was ambitious. He advised that he would like to see it reached; however, he did not expect the soft opening to generate that much traffic.

Vice Mayor Kirk opined that it would and noted that these types of events were what she looked for when she visited towns.

Councilmember Littleton opined that South Madison Street was not capable of holding 3,000 people. Vice Mayor Kirk opined that people would try the foods and then shop. She suggested they would not stay the entire day.

Mr. Herbert advised that he did not see people spending more than three or four hours on it and opined that they would flow through. He reiterated that he believed there would be more than two thousand people present in total.

Councilmember Littleton questioned whether the event would start early and go through the evening. Mr. Herbert opined that the restaurants would offer lunch and/or dinner. He explained that the idea behind the soft opening was to get each restaurant to handle their own on-premises promotion or to offer their food outside on the sidewalk.

Vice Mayor Kirk suggested the restaurants do their own promotions. She further suggested that there also be a big tent on South Madison Street, where the restaurants could each feature a tasting item. Mr. Bataoel noted that there could also be music.

Councilmember Littleton noted that he went to the Taste of Reston last week and advised that it was well done. He noted that it was four blocks long and explained that this was what he thought this would be like. Mr. Littleton advised that he did not think people would have to go to individual restaurants.

Councilmember Daly suggested it could grow into that; however, he opined that for the soft opening, the idea must be to emphasize the restaurants.

Mr. Herbert advised that for the first event, he did not envision a central, closed venue with multiple vendors as he did not believe there was enough time to think it out and promote it. He reiterated the need to think the event out, have committed participants and time to promote it. Mr. Herbert noted that it was almost July and reiterated that this could not be done. He opined, however, that what could be done was to distribute the planning and production to the individual participants so they could do their portion onsite, with the committee then featuring them. He advised that he would like to have twelve weeks just to promote an event; however, they did not have that much time this year.

Vice Mayor Kirk opined that it could be done; however, the Town would have to put money into it. She reminded Mr. Herbert to include the Safeway in this event and noted that they have participated in others.

Councilmember Littleton expressed an understanding of the framework of the agreement; however, he expressed concern about the perception that the event would be about the oyster bar. He opined that calling it an “oyster roast” was picking one business over another. Mr. Littleton advised that while he loved that Mr. Allison was coming to Middleburg, he could see other restaurant owners questioning it. He acknowledged that the Council had already suggested a name change; however, he noted that the agreement included Mr. Allison but no other restaurants. Mr. Littleton suggested the desire was for all of them to participate and questioned how this could be done without offending others. He further suggested that Mr. Allison could be the person who led the event. Mr. Littleton questioned whether it was wise to include the oyster bar in the MOU.

Mr. Herbert noted that the purpose of the draft was to identify issues such as this and opined that Mr. Allison would not be upset if they backed away from having “oyster roast” in the name.

Councilmember Leonard-Morgan noted that all of the other restaurants had an opportunity to do this. He further noted that Mr. Allison had the energy to start it. Mr. Leonard-Morgan agreed with the need to get others involved. He opined that this forum was a good way to discuss the pros and cons associated with the event. He suggested that if the MOU needed to be amended, Mr. Allison would not be upset.

Councilmember Snyder opined that it would be wise to socialize this event with the other restaurants.

Councilmember Miller advised that he would like Salamander to be involved and participate at least with the parking. He suggested this be pushed by the MBPA to get other businesses involved and to get their support. Mr. Miller noted that there may be marketing opportunities in doing so. He suggested the need to also get the wineries on board.

Vice Mayor Kirk noted that Salamander worked with the wineries and could probably bring them in. She advised that she liked the idea of oyster shucking as this was something that kids and adults would want to see. Ms. Kirk suggested there be demonstrations and opined that Salamander could do a bee-keeping one. She further suggested the Red Fox offer a demonstration.

Mr. Bataoel explained that the intent of the MOU was to establish a relationship with the Town and the event organizers. He further explained that the intent was to establish that the Town was interested in doing this event. Mr. Bataoel noted that they have an organizer, would move forward and would bring others to the table.

Vice Mayor Kirk asked that if the members of Council had any changes or suggestions related to the MOU that they get them to the Economic Development Coordinator.

Vice Mayor Kirk questioned whether EDAC was behind this. Mr. Bataoel advised Council that he was present as an organizer and noted that this item had not been socialized with EDAC yet.

Mr. Herbert asked that the Council get their comments back to him next week.

Councilmember Daly noted that his name was the only one in the document. He suggested that everyone be identified or his name be removed.

Councilmember Littleton noted that this would be a long-term agreement and suggested names not be included as the agreement would have to be changed every time a name changed. He further suggested that it just use terms such as the “EDAC representative” or the “Council representative”.

Councilmember Miller suggested this be taken to EDAC quickly if funding was needed. Vice Mayor Kirk suggested the committee let EDAC know if they wanted money for advertising.

Mr. Herbert advised that he would discuss that. He noted that he would wait for edits to the MOU from the Council.

It was agreed that the members of Council should get any changes they may wish to make to the MOU to the Economic Development Coordinator by the close of business on Monday so she could then send them to Mr. Herbert.

### **Council Approval** – EDAC Special/Community Events Funding Recommendations

Councilmember Daly questioned whether the Town had always provided funding to Great Meadows. Vincent Bataoel, Chair of EDAC, confirmed it had not.

Councilmember Snyder advised that he had an issue with funding out of town events. He further advised that he was not crazy about funding Great Meadows and suggested they had their own healthy funding stream. Mr. Snyder opined that it was not appropriate for the Town to be a sponsor of this event.

Councilmember Daly concurred and questioned what was in it for Middleburg, other than getting its name on as a sponsor. He opined that Great Meadows was closer to Warrenton and Marshall, as well as other towns, and questioned whether the expectation was that people would drive through Middleburg on their way to Great Meadows.

Mr. Bataoel reported that EDAC was not crazy about this either, which was why their recommendation was to not fund it. He advised that personally, he thought it was a good opportunity for Middleburg to get some visibility at a highly trafficked event that was full of people that were in its target market, who were only twenty minutes away, who may choose to go to other locations after the event if they did not know Middleburg existed.

Councilmember Snyder noted that he went to Great Meadows several times a year and advised that it was a thirty-five minute ride to get there.

Councilmember Littleton opined that this was a new event. Chairman Bataoel advised Council that this was Great Meadow’s existing national event that was held in July. He confirmed they were attempting to win another big event; however, they were having a challenge finding support at the municipal, state or county level for it. Mr. Bataoel opined that it would be a big deal for this area.

Councilmember Littleton summarized that the funding request was for an established event and noted that Great Meadow was trying to win another one. He opined that there was a financial benefit to Middleburg from those events. Mr. Littleton questioned whether it would be better for the Town to focus on spending money to help Great Meadows win the other event, as opposed to supporting their existing one.

Councilmember Leonard-Morgan noted that a year or two ago, he was in the Red Horse Tavern after the Gold Cup and advised that it was packed. Councilmember Snyder opined that this was historically true when races were successful. He suggested that that event may be the better one at which to advertise if the Town was serious about advertising at an event.

Mr. Bataoel advised Council that the Nations Cup had more attendees than the Gold Cup as it was a three-day event.

Councilmember Miller noted that the event was coming up quickly and suggested the Town had no idea of what it would produce or how to advertise. He reiterated that there was no time to discuss the productions as it was only three weeks away.

Vice Mayor Kirk noted that she liked the simple message that was proposed better than any other branding. She questioned whether the Council wanted to approve the other two funding requests.

Councilmember Littleton advised that he would love for Great Meadows to win the other event as it would be a new thing on the calendar. He opined that Middleburg would get visitors from it. Mr. Littleton questioned how quickly the Town could reach out to Great Meadows to ask them about the other event and how the Town could support it.

Vice Mayor Kirk suggested the Town say it was interested; however, this event was coming too soon to give it the attention it deserved. She further suggested it say that it was interested in the other event and ask what was going on with it.

Chairman Bataoel opined that some expression of interest would be beneficial.

Councilmember Miller opined that the Town could do better than a standard sponsorship package for an event.

Councilmember Snyder advised that he would like to show support for the new event and suggested the Town determine what it could do to support it and how it would pay off.

Vice Mayor Kirk suggested that Town Administrator Semmes and Chairman Bataoel contact Great Meadows together.

Mr. Bataoel reported that the evaluation would be done in July to determine who would be awarded the event. He noted that the award panel was considering Virginia and Maryland.

Councilmember Snyder suggested that Chairman Bataoel and Town Administrator Semmes express the Town's support.

Town Administrator Semmes suggested she write something for the Mayor's signature expressing the Town's support.

Councilmember Littleton suggested it say "the Town was ready to provide financial support for the event next year" so Great Meadows could show it to the panel.

Councilmember Leonard-Morgan suggested that with more notice and a different package, the Town may be interested in this event; however, he opined that it looked like a corporate sponsorship. He suggested the need for something that was customized. Chairman Bataoel opined that Great Meadows would be willing to do that.

Councilmember Daly questioned whether \$10,000 was the minimum sponsorship level. Chairman Bataoel confirmed there were others. Councilmember Daly suggested the need to check on them and noted that the Town may be able to pay less and get the same return.

Chairman Bataoel reiterated that if the Council was more comfortable with another contribution, he was sure Great Meadows would be willing to work with them to put together a new package.

Councilmember Snyder suggested they be asked how the Town could contribute to winning the new event.

Vice Mayor Kirk noted that the other two funding requests were for Shakespeare in the Burg and the Community Center's Fourth of July celebration. She opined that the latter was for an odd amount and questioned why they did not want \$5,000. Councilmember Miller explained that they wanted the remainder of the shortfall for the event.

Councilmember Snyder noted that Shakespeare in the Burg requested \$10,000; however, EDAC recommended \$5,000. He further noted that the Community Center asked for \$4,925 and expressed an assumption that this was additional funding.

Economic Development Coordinator Pearson reminded Council that the Town had already given the Community Center \$15,000 from the General Fund and \$2,500 from the Health Center Fund for this event.

Councilmember Snyder opined that the Fourth of July funding request was reasonable.

Councilmember Miller noted that the Town would be paying for the entire event. He reminded Council that last year, the Town gave them \$15,000 and advised that the event cost \$19,925. Mr. Miller reiterated that they were asking the Town to fund the entire event cost.

Chairman Bataoel reminded Council that the Community Center was having a challenge with Parks & Recreation leaving the building.

Councilmember Snyder advised that he was inclined to help them out. Vice Mayor Kirk agreed.

Councilmember Snyder advised that he was not sure why Shakespeare in the Burg was asking for \$10,000. Mr. Bataoel explained that they wanted to improve their advertising and draw a greater crowd. He reported that EDAC felt the contribution amount was good as it was.

Councilmember Miller noted that this was Shakespeare in the Burg's fourth year. He opined that after three years, events should be self-funded.

*Councilmember Snyder moved that the Council approve funding for Shakespeare in the Burg in the amount of \$6,000; the Community Center's Fourth of July Celebration with an additional \$4,925; and, that the Town not commit funds for the FEI Nations Cup sponsorship at Great Meadows.*

Vice Mayor Kirk questioned why the motion was for \$6,000 for Shakespeare in the Burg. Councilmember Snyder advised that he would like to see them be more successful with their promotion.

Councilmember Miller advised that he would as well; however, he suggested there were other ways to accomplish that without just asking the Town for more money. He suggested the Town match up to \$5,000 for Shakespeare in the Burg.

Councilmember Snyder questioned whether anyone would like to make a friendly amendment to his motion related to Shakespeare in the Burg.

*Councilmember Miller suggested the Council give Shakespeare in the Burg a match of up to \$5,000. Councilmember Snyder agreed to accept that as a friendly amendment. Councilmember Leonard-Morgan agreed to second the motion as amended.*

Councilmember Miller summarized that the Town would provide an additional \$5,000 if Shakespeare in the Burg could raise \$5,000.

Chairman Bataoel questioned whether the Council was saying that they would get \$5,000, which would increase to \$10,000 if they could raise the additional \$5,000 match. Councilmembers Kirk and Littleton advised that they were saying the Town would give them \$5,000 if they could raise \$5,000.

Chairman Bataoel noted that this would hurt Shakespeare in the Burg as they would not have any funding to start out with. Economic Development Coordinator Pearson noted that they need to be able to guarantee the players that they would get paid.

*Councilmember Miller suggested the Town guarantee \$5,000, with a potential match of up to \$2,500 if they could raise \$2,500. Councilmember Snyder agreed to amend the motion accordingly.*

Vice Mayor Kirk summarized that in that case, Shakespeare in the Burg would have \$10,000 if they could raise a \$2,500 match. She further summarized that the Community Center would get \$4,925 and Great Meadows would get nothing.

Councilmember Littleton noted that the Parks & Recreation Department pulled out of the Community Center. He questioned what they contributed each year. Chairman Bataoel reported that they contributed \$60,000 to the Community Center. Town Clerk North noted that the \$60,000 was for the Community Center's operation, not for the Fourth of July celebration. Councilmember Snyder opined that their departure crippled the Community Center's budget.

Vice Mayor Kirk noted that Middleburg was no longer receiving anything from the Department of Parks & Recreation and opined that this happened too often on this side of the County.

Town Administrator Semmes advised Council that she and the Mayor met with an aide to Supervisor Buffington and a staff member from the Parks & Recreation Department. She further advised that they said they tried to make this location work; however, they did not have the attendance to justify being in the building.

Vice Mayor Kirk questioned that and noted that they had fifteen kids going into the Center every day. Town Administrator Semmes advised that they only pulled out the pre-school program as that was all they were operating there.

Councilmember Littleton opined that the Community Center had an overall general fund, with the money going into a big pot.

Councilmember Leonard-Morgan questioned whether there was something the Town could do to help them. Councilmember Snyder noted that he would raise his personal contribution.

Vice Mayor Kirk suggested the Town reach out to them. She noted that she and the Economic Development Coordinator talked about doing something like a paint night. Ms. Kirk advised that it would not make a lot; however, it could raise \$1,000 each time. She opined that there were things the Community Center needed to do.

Councilmember Miller suggested that if the Town was paying all of the costs for the Fourth of July event, it was no longer a Community Center event but rather was a Town one.

Councilmember Littleton questioned whether the Town really cared. Councilmember Miller opined that in the future, it would be the Town's responsibility. Councilmember Snyder suggested the need to look at the requests on their merits each year.

Councilmember Leonard-Morgan noted that the fireworks took place on Salamander's property and opined that they got a lot of benefit from them. He questioned whether they could be approached.

Economic Development Coordinator Pearson reminded Council that the money did come back to the Town from Salamander in the form of meals and occupancy taxes.

Councilmember Miller questioned whether Salamander allowed people to park there for the Fourth of July Celebration. Councilmember Snyder noted that Salamander closed the field off as this was where they launched the fireworks. Vice Mayor Kirk noted that there was parking available on the other side of the road.

Vice Mayor Kirk suggested the need to check with the Community Center to see what else they were doing that day. Economic Development Coordinator Pearson confirmed they had activities the entire day. Chairman Bataoel noted that they offered music and hotdogs.

Town Administrator Semmes reminded Council that the Town would be paying for another Bluemont Concert through this donation.

Councilmember Snyder suggested the Town should point out that it would pony up for the entire day and ask whether there was anything that the Community Center could contribute.

Councilmember Miller noted that he was amazed at the low cost of the clean-up. Economic Development Coordinator Pearson explained that the Community Center used their staff for it.

Councilmember Littleton suggested the need to get behind this as the Town was out of time. He further suggested the need to work with them to figure out how to fix this for the next year.

Economic Development Coordinator Pearson reminded Council that when Salamander built their houses, the property would not be available for the fireworks launch. Vice Mayor Kirk opined that they could be set off on the other side of their road.

Councilmember Leonard-Morgan noted that EDAC recommended the Town not contribute the \$4,925. He questioned the reason. Chairman Bataoel explained that EDAC felt the Town already made a sufficient contribution at \$17,500. Vice Mayor Kirk expressed fear that if the Town did not, there would not be any fireworks.

Councilmember Miller reminded Council that from an economic development standpoint, with the exception of the Southern States, Exxon and Safeway, the businesses were closed.

Councilmember Snyder opined that Middleburg needed to support this event for the people who lived here, as well as the visitors. He opined that it was important to all age groups.

Councilmember Miller noted that next year, this would fall under Community Event support in the budget. He opined that this was a one-time circumstance.

Town Administrator Semmes noted that there was a difference of opinion amongst the staff as to whether the \$15,000 that was in the budget needed to go to EDAC for the fireworks. The Council agreed it did not.

Vice Mayor Kirk questioned where the \$4,925 would come from. Economic Development Coordinator Pearson advised that this was up to the Council.

Vote: Yes – Councilmembers Kirk, Daly, Leonard-Morgan, Littleton, Miller and Snyder

No – N/A

Abstain: N/A

Absent: Mayor Davis and Councilmember Hazard

(On motion as amended)

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**Council Approval** – Consolidated County-Town billing support letter

*Councilmember Miller moved, seconded by Councilmember Daly, that Council authorize the Mayor to send a letter to Delegate Minchew in support of the legislation that would enable the consolidated County-Town billing program to be implemented.*

Vote: Yes – Councilmembers Kirk, Daly, Leonard-Morgan, Littleton, Miller and Snyder

No – N/A

Abstain: N/A

Absent: Mayor Davis and Councilmember Hazard

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**Council Discussion** – Ordinance pertaining to Employee Bonuses

*Councilmember Snyder moved, seconded by Councilmember Daly, that Council adopt an ordinance to adopt Town Code Section 3-9 pertaining to Employee Monetary Bonuses.*

Vote: Yes – Councilmembers Kirk, Daly, Leonard-Morgan, Littleton, Miller and Snyder

No – N/A

Abstain: N/A

Absent: Mayor Davis and Councilmember Hazard

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Councilmember Littleton reported that he and Councilmember Daly have drafted a procedure for how the staff could be nominated for and receive bonuses. He noted that there could be things that needed to be cleaned and tightened up. Mr. Littleton reported that they wrote this as a process and noted the need for a form to go along with it. He opined that it should be done within the next couple of weeks.

Councilmember Snyder questioned whether Councilmembers Littleton and Daly were working with the Town Clerk on this. Councilmember Littleton confirmed they had not yet; however, they would do so now that they had a framework in place.

## **Report** – FY '17 End of Year Budget Transfers

Town Administrator Semmes reported that, as in previous years, she prepared the end-of-the-year budget changes, most of which were related to the hail storm damage. She explained that before the audit was done, the budget was amended to address any major unanticipated revenues and expenses. Ms. Semmes reported that there was nothing that required a new appropriation and advised that the amendments just involved moving money from one account to another.

Councilmember Snyder questioned whether this was an informational item. Town Administrator Semmes confirmed it was.

Councilmember Miller inquired as to the changes to the Buildings & Grounds line item. Town Administrator Semmes explained that \$40,000 was transferred from the General Fund's Contingency Reserve to the Building & Grounds line item to cover the hail storm repairs. She advised that this then reduced the amount of the Contingency Reserve. Ms. Semmes reminded Council that it was nice to have a healthy Contingency Reserve to cover such items; therefore, there was not a need to appropriate additional funds.

Councilmember Littleton inquired as to the amount of positive revenue that would be available at the end of the fiscal year. Town Administrator Semmes opined that the Town would have at least \$500,000 to the positive. She noted that part of this was due to large expenditures that were not made.

Councilmember Snyder noted that the Town budgeted for things such as snow removal even if it did not happen.

Councilmember Littleton questioned whether this money would be available for capital items. Town Treasurer Bott noted that the staff would have the final numbers after the audit in September.

## **Council Discussion** – Top Ten Vision Priorities

Councilmember Snyder opined that the Council had a reasonable amount of input on these items. He questioned whether there were any conflicts on any of them.

Councilmember Littleton opined that based upon the consolidated input from the members, there was not a consensus on what the Council believed the items were, who should be involved and how they should be done. He further opined that everyone thought something totally different.

Vice Mayor Kirk agreed and suggested the need to have a dedicated work session to have an in-depth discussion of each item.

Councilmember Leonard-Morgan suggested the Council not worry about this. He opined that as they sat down to discuss the items, they would each have a different idea and would hone in on a consensus.

Councilmember Littleton noted that it was positive that the Council found that this issue existed and suggested it was better to know of it. He reminded the members that they had a two day vision session, during which they all talked, and opined that they thought they were all on the same page; however, six weeks later when they had to put down what they meant, it was different.

Councilmember Snyder agreed this was a good exercise as it gave the Council fuel to refine where they stood on each item. He reported that he provided the Town Clerk with all ten of his quad sheets and suggested it was appropriate for the members to get the remainder to her well ahead of the next work session.

Councilmember Littleton noted the differences in the responses to what should be an easy item, such as placing the vision on the website. He further noted that the answers ranged from “done” to “never ending”.

Councilmember Snyder noted that this statement was simple and noted that the goal was just to “post the vision on the website”. Councilmember Littleton opined that it was more in-depth than that and questioned where it should go on the website, how it should be listed and whether people should be able to offer feedback.

Councilmember Miller noted that there was not even consensus on who should be the sponsor for any of the items. Councilmember Snyder noted that he saw there being multiple stakeholders. Councilmember Littleton explained that the sponsor was just one person, who was the champion of the item.

After some discussion, the Council agreed to discuss at least two, and possibly three, items during the July work session. They further agreed that the three items would be: (1) post the vision/mission/initiates on the website; (2) host an annual reception for the Town’s appointed boards/commissions; and, (3) implementing the wayfinding program. It was suggested that the staff be prepared to provide any necessary information and their comments on those items; and, that the Council come prepared for the discussion. Town Administrator Semmes suggested the need to provide Council with the wayfinding sign plan.

Council requested that the easel/pads be available and snacks, including non-sugar ones, be provided. They suggested that everyone plan to be available for two hours - one for each item.

### **Town Council Reports**

Vice Mayor Kirk reported that the Health Center Advisory Board did a walk-through of the Health Center building earlier in the day.

Councilmember Miller reported that they received a comprehensive report from Cowgill on what needed to be done to the building to bring it up to snuff. He noted that these were not strategic improvements, but rather were just general repairs. Mr. Miller reported that the cost was over \$60,000.

Councilmember Snyder suggested the Council see what fit within the budget and then discuss a budget amendment. He opined that it was not possible to put \$60,000 in repairs in one budget year.

Councilmember Miller advised Council that it was astounding to see the state of the building. He opined that there were some simple repairs that could be done for less than what was quoted in the report without sacrificing quality. Mr. Miller advised, however, that in looking at the big picture, he was concerned about putting money into the building just to get it to a livable standard. He noted that more strategic improvements would need to be made in the future and advised that what was proposed was just a Band-Aid - not a full renovation. Mr. Miller opined that the building needed much more.

Vice Mayor Kirk noted that the former Police Department space had low ceilings and hanging wires. She opined that the space on the opposite side of the hall could not be rented as either an office or an apartment as it was not in a condition where she would feel comfortable renting it. Ms. Kirk reiterated that some of the rooms had low ceilings and noted that even though she was not tall, she still needed to duck when walking through them. She noted the location of a fireplace, which was strange.

Councilmember Miller suggested the need for a larger discussion on the future of the building. He noted that Erik Scheps, who served on the Health Center Advisory Board, sent an email recommending it be sold. Mr. Miller opined that the Town was not a great landlord and noted that this was not a part of its mission. He expressed an understanding of why the building was donated to the Town; however, he opined that the Council would be doing a disservice to the town if it continued to hold onto it in this state.

Councilmember Snyder opined that if the Town could not maintain it, it owed it to the town to find someone who could.

Councilmember Miller suggested the proceeds from a sale could be used for charitable donations.

Councilmember Daly noted that it could be put into an interest bearing fund, with the interest used for charitable donations. He opined that the Town should not be landlords.

Councilmember Miller suggested the Town could easily exceed what it currently budgeted to give away on an annual basis with just five percent interest on the money. He noted that the Town staff would also not be required to spend time on the building.

Councilmember Littleton noted that it would also save on the cost to maintain the building, such as the insurance.

Councilmember Miller opined that if the right person purchased the building, this would put business and tax revenues into the Town coffers.

Vice Mayor Kirk noted that she asked the Town Planner whether someone could build it out to the street, as she believed this was the only thing someone would want to do with it. She reminded Council that part of the building was historic; however, it was not usable.

Town Planner Moore advised that in theory, someone could build to the property lines as there was no setback requirement. He noted, however, that there may be some building code issues associated with doing so. Mr. Moore reiterated that in theory, this could be done. He noted that it was another question as to whether this made sense from an engineering standpoint.

Councilmember Miller reminded Council that the original purpose of the building was to provide space for medical professionals. He noted that the Town already had such professionals in other buildings and reminded Council that there were other, new facilities that could also be used for that purpose.

Councilmember Littleton advised that nothing had been done to the building for years. He reminded Council that years ago, the back examination room in Dr. Falkenstein's office was the delivery room and advised that the delivery timer was still on the wall.

Vice Mayor Kirk reminded Council that the Town accepted the building because of concerns that there was no doctor in town. She advised that it lured Dr. Falkenstein into town with the promise of low rent in the building.

Councilmember Leonard-Morgan opined that the suggestion was to sell the building, put the proceeds from the sale into a fund and use the interest for donations. Councilmember Littleton noted that it could be set up as an endowment.

Vice Mayor Kirk reminded Council that she never wanted to sell Town property as it could not get it back; however, after touring the building, she would rather let it go than put good money into it.

Councilmember Miller suggested the Council needed to have a discussion on the future of the building. He opined that it was not right to hold onto it in its current state. Mr. Miller reiterated that being a landlord was not what governments did.

Councilmember Littleton suggested there were other possibilities besides selling the building. He further suggested it could be demolished and a new Town Office built in its place. Mr. Littleton opined that the Council should explore all of the options. He noted that it was on a great lot, in the middle of town, and reiterated that the Town could build a government center on it, sell the Town Office and use that money for charitable donations.

Councilmember Snyder noted that it gave him pause to tear down a building in the Historic District. Councilmember Littleton opined that a developer would do so.

Councilmember Snyder opined that a developer could not circumvent the Town's regulations in the Historic District. Councilmember Littleton noted that they would go to the HDRC for the approval to demolish the building. Councilmember Snyder opined that the HDRC could not approve the demolition of a building.

Town Planner Moore advised the Council that the HDRC was the approval authority to demolish a building in the Historic District. He opined, however, that it would be a high bar to convince them to approve this one as the Health Center was a contributing structure in the Historic District.

Councilmember Snyder opined that this was not a redevelopment property.

Councilmember Miller suggested the members of Council walk through the building and opined that they would see it differently.

Vice Mayor Kirk noted that she and the Town Administrator have talked about a potential Town Office site. She suggested the Council hold a thirty minute closed session during its next meeting to discuss property acquisition. Ms. Kirk further suggested the Council discuss Town Administrator Semmes' and Councilmember Littleton's ideas, as well as any other ideas that members of the Council may have.

Economic Development Coordinator Pearson volunteered to give anyone a tour who wished to take one. She noted that there were some repairs in the apartment that must be done sooner rather than later.

Town Administrator Semmes advised Council that the Town would address anything that was harmful to the building; however, it would not spend major money on them. Vice Mayor Kirk agreed there were minor things that needed to be addressed. Ms. Pearson noted that some were things like an expired fire extinguisher and the elevator inspection. Town Administrator Semmes reported that the elevator had been inspected.

Vice Mayor Kirk noted that Dr. Falkenstein locked up the elevator and stairwell at night and advised that there must be a better way to secure his office.

Vice Mayor Kirk reported that she, the Town Administrator and Town Planner were interviewing candidates for the Maintenance & Facility Supervisor position. She further reported that they had interviewed four individuals and would interview one more next week. Ms. Kirk noted the need to decide whether the Council wanted the position to be full or part-time and explained that someone raised an interesting proposal that the position be part-time. She advised that she was just giving the members a heads up that they were looking at a variety of things and would return to the Council. Ms. Kirk noted that they had some good candidates.

Councilmember Littleton reported that he took the Council's proposal related to the Pink Box to the Middleburg Museum Foundation and advised that they were unanimous in their support of working with the Town to see how it could work in the short and long-term. He suggested that if the Council approved, he would work with the staff on what this would look like, to which the members agreed. Mr. Littleton noted that he sent an email to the architect, Bill Turnure, who said this would be easy to do.

### Discussion

Town Clerk North noted that the FOIA Council was scheduled to provide FOIA training in the Town of Berryville on the afternoon of Thursday, August 17<sup>th</sup> and advised that she took advantage of this opportunity to schedule them to provide FOIA training in Middleburg that evening at 7:00 p.m. She reported that in addition to the Council and staff, the members of the Town's board and commissions would be invited to attend. Ms. North expressed hope for a good turnout.

Vice Mayor Kirk asked that the staff strongly encourage the board and commissions members to attend. Councilmember Littleton advised that he would especially like the chairs to attend.

Councilmember Daly reported that he and Councilmember Littleton have been discussing the requirements for a software package with the staff so the Town would have a secure means of archiving, collaborating and doing electronic agendas. He further reported that they were drafting a list of requirements of what that would look like and what was needed.

Councilmember Littleton reported that the work was started and noted that he emailed the list to the staff members so they could identify what was the most and least important. He advised Council that he would keep them informed as they went along.

Councilmember Snyder questioned whether security was a consideration. Councilmember Littleton confirmed it was on the list.

Vice Mayor Kirk reminded Council that they would be meeting on August 10th and 17th. She noted that the Council generally cancelled the August work session; however, if it wished to hold one in August, they would be meeting three Thursdays in a row. Ms. Kirk noted the need to make this decision in July.

There being no further business, Vice Mayor Kirk declared the meeting adjourned at 7:32 p.m.

APPROVED:

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Darlene Kirk, VICE MAYOR

ATTEST:

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Rhonda S. North, MMC, Town Clerk