



## MIDDLEBURG TOWN COUNCIL REGULAR WORK SESSION MINUTES



Thursday, April 26, 2018

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

STAFF: Martha Mason Semmes, Town Administrator  
Rhonda S. North, MMC, Town Clerk  
Ashley M. Bott, Town Treasurer  
William M. Moore, Town Planner  
Jamie Gaucher, Director of Business & Economic Development  
A.J. Panebianco, Chief of Police

The Town Council of the Town of Middleburg, Virginia held their regular monthly work session on Thursday, April 26, 2018 in the Town Hall Council Chambers, located at 10 W. Marshall Street. Mayor Davis called the meeting to order at 6:00 p.m.

### **Presentation – Loudoun County Home Improvement Program**

Robert McCarthy, Home Improvements Coordinator, and Beth Rosenberg, Community Development Block Grant Program Manager, appeared before Council to present information regarding the Loudoun County Home Improvements Program. Mr. McCarthy reported that they offered an Emergency Home Repair and Accessibility Grant, of up to \$5,000. He further reported that they also offered an Eastern Loudoun County Home Revitalization Program loan, which was an interest free loan. Mr. McCarthy noted that both the loan and grant eligibility were based, among other things, on total gross income. He asked the Council to encourage residents to apply for either and noted that no one from Middleburg was currently participating in their program.

### **Presentation – Parking Study – Kimley-Horn**

David Samba, Ed Papazian and Michael Conner, of Kimley-Horn, appeared before Council to present their findings of the parking study data that was gathered by the Middleburg Police Department. They reported that, based on their review of the available data, it appeared there was sufficient available parking in the central business district to accommodate typical demand. It was noted that on average, parking occupancies did not exceed seventy-two percent (72%) on a typical weekday, weekend or Friday. The representatives reported that peak parking activity occurred mid-day on Fridays, with eighty-five percent (85%) of the parking facilities being occupied. It was noted that the Liberty Street Parking Lot showed low occupancy levels compared to the other parking facilities. The representatives reported that on a typical weekday, during the mid-day and afternoon, parking occupancy along Washington Street was well above eighty-five percent (85%); however, other streets and lots still had ample parking available. They suggested that searching for available parking could contribute to interrupted traffic flows and recommended more effective parking wayfinding.

The representatives from Kimley-Horn recommended the Town consider the following near-term strategies: creating high turnover parking zones; coordinating with the National Sporting Library & Museum and Middleburg Community Center for surplus parking opportunities; developing a public parking map and parking guide; and, updating the Town's parking wayfinding plan. They recommended that short-term strategies include: designating specific locations for employee/employer parking, including extension of the Town's parking permit program, shared parking agreements and outreach to the business community; and, conducting a full parking study to bridge the gaps in the available data.

The Council noted that they needed to determine how much more they wanted Kimley-Horn to do. It was further noted that if the consultants identified the data that was needed, the Middleburg Police Department could conduct the survey and gather the information.

### **Council Approval – Special Event Funding Recommendations – EDAC**

Councilmember Miller reported that this item was deleted from the agenda, as the information provided was incorrect. He noted that EDAC would forward their recommendations to the Council following their next meeting.

### **Discussion – Blight Abatement**

Town Planner Moore reminded Council that the Town currently had some blight abatement provisions in the zoning ordinance; however, they were problematic as they must be addressed through a notice of violation and only applied to contributing structures in the Historic District. He reported that the State Code contained enabling legislation that would allow the Town to address blight on a Town-wide basis. Mr. Moore noted, however, that one thing that could hamper the ability to address it was the lack of public funds. He explained that if a property owner did not address the issues, the Town would have to do so and place a lien on the property. Mr. Moore noted that it could be many years before the property was sold and the Town was repaid. He advised that the Council would have to be willing to commit public funds if the Town reached the point where it needed to step in and do the work. Mr. Moore questioned whether the Council would like to have these provisions available on a Town-wide basis.

The members of Council noted that there were a couple of buildings throughout the town that needed to be addressed. It was suggested that this matter be studied further and the details of how such a program would work, including the legal implications and how it would be communicated to the public, be provided to the Council at a future meeting. It was further suggested that this be coordinated with the County's home improvement program.

### **Discussion – FY '19 Utility Fund Budget**

Town Administrator Semmes reminded Council that this was the last time they would see the draft FY '19 budget before the public hearing. She reported that there were a few last minute changes as the result of the Ridgeview Water Mains Replacement Project and the West End Pump Station Project. Ms. Semmes noted that the loan from the General Fund to the Utility Fund had increased to \$435,000 and the transfer from the Utility Funds Reserves was increased by \$117,000. She reported that the Town was close to getting approval from VDOT for the Marshall Street Sidewalk Project and explained that because the project would not begin until after the new fiscal year, those costs were shifted into the FY '19 Budget. Ms. Semmes reminded the Council that the funding for that project was being provided by Loudoun County.

It was noted that the public hearing on the FY '19 Budget was scheduled for May 10th. It was further noted that this would still allow time for the Council to make adjustments if necessary before the budget's final adoption.

### **Discussion**

Councilmember Daly encouraged the public to vote in the upcoming elections.

Councilmember Snyder reported that the Wellhead Protection Advisory Committee was planning to give their annual report, including the update to the Wellhead Protection Plan, during Council's July work session. He further reported that the Utilities Committee was continuing to talk about the details of the Ridgeview water mains upgrades.

Councilmember Leonard-Morgan reminded Council of the battery take-back program scheduled for April 28th. He noted that the drug take-back program and Arbor Day program would also occur on that same day.

Vice Mayor Kirk thanked Town Planner Moore and Business & Economic Development Director Gaucher for participating in the Town-Wide Clean-Up event.

Councilmember Littleton noted that there would be a memorial service for Yvonne Miller at The Hill School on April 28th.

Councilmember Hazard reminded Council that during their last meeting, they discussed the marketing plan. He asked that, in the future, the Council receive interim reports on projects that were over a certain amount of money, such as \$20,000.

Councilmember Littleton thanked the staff, in particular Town Clerk North, for doing a great job getting the Granicus software installed. He noted that he did not even pick up his paper agenda and instead used the electronic one. Mr. Littleton opined that it was awesome and noted the savings to the Town. He advised that the new system was easy to use and noted that he tried very hard to screw it up; however, it was not possible.

Town Clerk North reported that the meetings were now being streamed live and noted that within a couple of days Swagit would prepare a transcript of the meeting, which would be attached to her minutes. She further reported that the Surface Pro devices, which would be available in the Council Chambers to access the electronic agendas, have been shipped and would be ready for use during the next Council meeting.

### **Closed Session – Property Acquisition**

*Vice Mayor Kirk moved, seconded by Councilmember Littleton, that Council go into closed session as allowed under the Virginia Freedom of Information Act Section 2.2-3711(A)(3) pertaining to the discussion or consideration of the acquisition of real property for a public purpose or the disposition of publicly held real property where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body. Vice Mayor Kirk, further moved, seconded by Councilmember Littleton, that these matters be limited to the acquisition of property within the Town. Vice Mayor Kirk further moved, seconded by Councilmember Littleton, that in addition to the Council, the following individuals be present during the closed session: Martha Mason Semmes, Will Moore and Jamie Gaucher. Vice Mayor Kirk further moved, seconded by Councilmember Littleton, that Council thereafter reconvene in open session for action as appropriate.*

Vote: Yes – Councilmembers Kirk, Daly, Hazard, Leonard-Morgan, Littleton, Miller and Snyder  
No – N/A  
Abstain: N/A  
Absent: N/A  
(Mayor Davis only votes in the case of a tie)

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

Mayor Davis directed the staff to proceed as directed in the closed session.

There being no further business, Mayor Davis declared the meeting adjourned at 8:07 p.m.

APPROVED:

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Betsy A. Davis, MAYOR

ATTEST:

\_\_\_\_\_  
Rhonda S. North, MMC, Town Clerk

## Transcript of April 26<sup>th</sup>, 2018 Middleburg, VA Town Council

(Note: This is a transcript prepared by a Town contractor based on the video of the meeting. It may not be entirely accurate. For greater accuracy, we encourage you to review the video of the meeting.)

**Betsy Davis:** Good evening we will call the work session to order. And tonight I would like to start with a roll call starting with Bridge please.

**Trowbridge "Bridge" Littleton:** Bridge Littleton.

**Kevin Hazard:** Kevin Hazard.

**Philip Miller:** Philip Miller.

**Darlene Kirk:** Darlene Kirk.

**Betsy Davis:** Betsy Davis.

**Peter Leonard Morgan:** Peter Leonard Morgan.

**Mark T. Snyder:** Mark Snyder.

**J. Kevin Daly:** J. Kevin Daly.

**Rhonda S. North:** Rhonda North.

**Martha Mason Semmes:** Martha Semmes.

**Betsy Davis:** Ok. We made it all right we will start tonight we have two public presentations the first one is from Loudoun County Home Improvement Program we have Robert McCarthy here this evening. So if you would like to start and I apologize if you would introduce blank. [laughing]

**Robert McCarthy:** Can you hear me?

**Robert McCarthy:** Good evening Mayor Davis and council members. Thank you for the invitation to discuss the Loudoun County Home Improvement Program. My name is Robert McCarthy. I work for Department of Family Services in the housing division. I'm the home improvements coordinator and this is Beth Rosenberg.

**Beth Rosenberg:** Hi. Hi everyone. I'm the Community Development Block Grant program manager for Loudoun County.

**Robert McCarthy:** If you could. Actually turn to this Flyer that's doesn't say Bob's on the top of yours. I want to go over the energy home for repair and accessibility grant program. This is a one time grant for five thousand dollars for homeowners that are 62

and older and have household members with a disability for repairs related to emergency and accessibility needs. The total gross income for this grant. You have to be below 50 percent. And if you notice on the back of your chart it will actually say 50 percent one person forty one thousand fifty dollars if they make less than that. We can actually get them a grant for any kind of repair and I'll go over that next if there's two people so forth so on our programs are basically based on priorities. The priorities meaning like warm safe and dry warm meaning obviously if they have heat. If I walk in and do an assessment and then if they say safe would be an insensibility like a ramp some safety bars handrails and stuff like that or damage that we would go in and actually repair and drive meaning the roof we replace everything on the roof and new shingles. We don't put a bandaid on anything. We basically we will place it from take it out and put it a brand new in. So when these people get this grant that's going to it's going to take them ten years from now. And that's like an HPA system will last you that long a roof 15 25 years and basically and that's the end of that program then. I wanted to also go over the the Loudoun County Home Improvement Program which is the Elchin program. Now this is a loan. It does the same thing. And I can do the same things in people's homes. But this is actually zero interest free loan and some of it can actually be forgivable. The total gross household income has to be less than 80 percent. And again if you look at your chart that sixty five thousand seven hundred dollars that we can actually help these people out and just that what they actually have to do how the program works is once. Once you applied and you meet the guidelines I'll come out to the home and do an assessment on the work that's needed I'll pick the contractor which is provided from Loudoun County. And once the work's complete I will approve the work and the contractor will be paid through Loudoun County. So basically I approve it and oversee the job to make sure that the customers are getting what they actually we actually pay for the grant is absolutely forgiven and Elchin program some of that can be forgiven depending on their income rates and if they need to apply they can go to [loudoun.gov/home-improvement](http://loudoun.gov/home-improvement) they have it as an home improvement coordinator at the bottom they're more than welcome to call me ask me any kind of questions and if we can't help them we will find somebody that will especially our third party or people like Christmas in April and so forth and so on. And that's pretty much it. If there's any questions.

**Betsy Davis:** Does council have any questions for Mr. McCarthy?

**Trowbridge "Bridge" Littleton:** I was just curious what do you all have annual budgetary constraints? I mean is there a certain limit to what you can't bring any more people in the program?

**Robert McCarthy:** Not as of right now. Basically we're still working off like 2012 budget so we still have the money. We're trying to increase the actual people going and getting more stuff done to the home. And I just want to say there has not been one person from Middleburg so please bring me one just one.

**Betsy Davis:** How many are in your program?

**Robert McCarthy:** Right now there's over 57 people throughout and the program has been going on it's just I've since I've taken over this position I've been trying to outreach and try to get more people to come through because I really feel that the program is going to help a lot of people and that's what we want to do.

**Betsy Davis:** We appreciate your coming in and giving us this information and we definitely will make it available and put it on our Web site and try to get the word out for some tips.

**Kevin Hazard:** I did have one more question. Would you would a group be allowed into a program like this? For example we have Windy Hill in Middleburg. Is that a separate it would have to be somebody within the boundaries?

**Robert McCarthy:** That would have to be a separate issue. Might want talk to this lady about that.

**Beth Rosenberg:** Yeah. Well I would say that the these two programs the emergency grant repair program and what we call L chip these are for individual homeowners. The purpose is is to help low moderate income homeowners with critical repairs to their home. And also you might want to know that the funding that we have for these two programs is HUD Community Development Block Grant Pergram funding and that dictates that we need to serve low to moderate income households so that some background.

**Kevin Hazard:** Thank you.

**Betsy Davis:** Any other questions from council? OK well thank you so much. Appreciate your coming. All right. Next on our agenda we have our parking study we have several people here from Kimley-Horn if you would like to come up and you can introduce yourself. We appreciate it. Thank you.

**David Samba:** All right. Hello. Thank you for having us. For the record my name is David Samba and I'm with Kimley-Horn associates. My colleagues Ed Papazian and Michael Connor and we have a presentation that will give you I am sure everyone has a copy of the presentation and then we also I'm sure you have a copy of the actual memorandum that we prepared as well that summarizes our findings. So we're here to entertain any questions you may have as we get through this presentation just a little bit about who we are. Just for your benefit I'm a professional engineer professional traffic operations engineer been doing traffic parking and planning for about 7 plus years and doing it for a little longer than me forty five plus years. Michael splits the difference at about 30 years 30 plus years I should say a special interest to you tonight. Michael actually was formerly the parking manager for Arlington County. So I'm sure he'll have lots of insights offer in terms of kind of managing that perceptions and the realities of parking and parking supply and how the town can better manage parking. [inaudible] As I mentioned we are from Kimley-Horn so we're a national firm but also local firms so we have offices in Leesburg and rest in D.C. and Baltimore and we drove down from [inaudible] today. Not too bad a drive very scenic actually. So on the agenda for tonight it's on slide 3. Show you a brief background about why we're talking about parking tonight. Why we're talking about it now. To give you a bit of a refresher on the in-house data collection effort that was conducted by the police department. Just again bring everyone up to speed and then we're to go into the specifics of what the Kimley-Horn task were in that regard in terms of reviewing the data collection effort looking at the data gaps that might be in there and offering a professional interpretation of the findings. And

then some recommendations for the next steps. So onto the background slide five conversation about parking is ongoing in the town of Middleburg. It's not something that's new. There was a 1994 town wide parking study. A 2005 town wide parking study. And just for some context if you're curious about how often you need to be doing these studies there's no hard and fast rule. You're at that 10 to 11 year gap in Alexandria. Some of the neighborhoods do parking studies every five years but it's generally you want to do your parking study when you believe that something is changed in town sufficient enough that you're either the supply or the demand is kind of at odds. And so just to give you a little bit of context about what was happening to that 1994 just for context 1994 the population town of about 550 residents in 2005 it was about 700 residents. And today depending on what source you're looking at it's about 800-850. So you have more residents more desire for parking. And then we can talk about how the supply has changed as well. When 2005 study was done. That was before the resort was constructed before the backside of town was redevelops and meter parking came and went three hour three hour and eight hour restrictions are here now. So certainly the supply and the way you're managing the supply has changed and I'm sure that you're hearing from some residents you know there's concerns have been expressed about whether or not there is enough parking. So this is a good time really to be bringing this back up this conversation back up again about whether or not parking is sufficient and is where folks want it. Not just residents but visitors tourist as well. And so all this kind of lead to I think it was a town council visioning session and I did look at some of the previous council minutes as well. I know you've spoken about this at length in previous meetings as well. And so Martha and the police chief were directed to conduct an in-house data collection effort in the central business district which they did. And then we kind of came on board to kind of help refine and take a look at the results and give your professional interpretation and just for context there are some other related efforts that are happening right now where an understanding of the parking supply and demand would be really helpful. So that's your comprehensive plan update. That's the way finding plan and that's local road repaving by VDOT. Certainly understanding whether or not you have enough parking would kind of help you direct those efforts in a more positive manner. So just still touch a little bit on background and how things have changed in 1994 the parking study that was done considered a total of 905 parking spaces. You'll see that when you get to 2005 when that study was done there was a total 1248 parking spaces that began the backside of the town was developed some private parking spaces went in. And you'll note that between 1994 and 2005 those metered parking spaces were also installed and that just gives context for where we were then. If we look at the visioning session and some of the conversations that came out of that and subsequent council meetings the major goal was to understand the current parking conditions in town and help develop those strategies for short and long term parking needs of residents employees and visitors. There are some specific questions that we're going to try to help answer tonight. Is there enough parking or the sign hourly parking limits appropriate for the way people are parking in the middle in town over today. I think there's a question about the relationship between parking and traffic flow issues. You know as people are trying to park. Are they at odds of people driving on the streets? Are the marked and sign spaces located in appropriate locations and are there enough of them and then just generally we'll give you some recommendations on how the town can better manage its parking supply. With respect to the reserved parking program. All right so just a refresher on the in-house data collection effort. It was conducted by the town police between August 29 and September 12 of last year. We do know that included the Labor Day weekend and it was before the opening

Oyster Bar and conversations with town administrator the police chief and town planner. We do understand that the Oyster Bar has kind of invigorated that east side of the town a little bit in terms of parking activity. So it's definitely something to note that this data collection was done before that. There were three data collection periods on each day during that window a morning and mid day and afternoon data collection some morning was 10 a.m. to 11 a.m. mid day was 12 to 1:30 p.m. and then afternoon was 2:00 to 4:00 p.m. and what the police department did was take one count along each of the studies streets during that time on each of those days. The focus of the in-house data collection effort was on public parking so only on the public streets. And then the liberty and the Pembleton lot. It did not include the private street parking lots. And again the streets are under consideration was Washington street [inaudible] street between the Plains Road and Liberty Street all the side streets between Marshall and Federal and then the Liberty and [inaudible]. So on Slide 10 we're just giving you a little bit of context to see. In 2005 the study area was much larger than what was studied for this targeted approach. Again this was classified as like a CBD study. Really where that intensity of parking is. And so again just so we're comparing here what we really were looking at was about 202 parking spaces. Most of those being again on public parking spaces. You had a couple spaces in your Pembleton lot and then there were off street rented spaces in the Liberty lot although those were not specifically included in the data analysis and generally in a town of Middleburg right now you have three and eight hour spaces. You have a couple of high turn over 15 minute spaces some spaces sign for folks 88 placards and then a few untimed spaces like right outside and some rented spaces. That where I parked tonight. So on Slide 12 I'm not going to go into exhaust other numbers other than say that the police department did a really good job in terms of classifying the supply of parking by space on these street. So that information is there for you. And what we ended up doing was first our first step was kind of just looking at the data they had and so on Slide 13 is presenting the findings from that initial study. And what you'll see make something clear is the values in red indicate parking occupancies at or above 85 percent so that means the block is 85 percent full. So in our industry once you get to about 85 percent you are effectively full people are going to spend time looking for parking and you know if you're in or if you're in a garage or a lot you might feel like there is no parking because you're spending so much time looking on a street you're to have people circling the block looking for parking. That's effectively communicates. So generally you can tell by table there's not too much red in there. So it actually is a good indicator that day to day and for those various time periods. There does not seem to be a lot of high parking occupancy. So we're not looking at it effectively full condition in the [inaudible] collection effort. They did note that Friday averaged the highest usage at about 70 percent. And then of the time periods midday was your busiest time which again makes sense because that's when you have folks going out to lunch and that's when they need the parking they want from their favorite restaurant. Overall I believe it was noted in the in-house data collection effort that in the mornings as the shops began to open that's when parking gradually began to fill until you hit that peak in the midday and then generally after the afternoon and evening there really wasn't as much demand and so that was not a focus of the study. So with that as our basis we started the Kimley-Horn task and our first step. We did meet with the police department police chief town administrator town administrator and town planner kind of talked about anecdotal things that were going on the town with respect the parking we took I took a driving tour around town just to get a lay of the land and sense to better understand parking on a typical day or specific taxes again were to review in-house city collection methodology and findings. We were going to discuss what some

of those data gaps might be and how this study could be bolstered with some additional analysis and then give you some professional recommendations and interpretation. So with respect to the slide 16 respect to that data collection methodology we do want to throw out just a couple of things for consideration. One is the study area certainly study area is appropriate for a targeted study but it did admit it does omit locations where public parking is available. So locations to the east were not considered. You still do have three hour spaces there. You also have 8 spaces there and I think the town of Middleburg is fairly walkable so if you're going to a restaurant or going to the bank you still are willing to walk a decent amount. So from that perspective if we're trying to understand again is there enough parking. You'd have to kind of consider that there might be a desire to park further out to the east and still travel to the west destinations of the West. So in terms of studying the broader area that's something that can be done to strengthen the parking study. The parking authority [inaudible] also as we mentioned it did omit private parking. Again if you're if you're strictly focused on public that's not a private parking that's not a tremendous issue. Although one thing we did note is that there is the potential for the true parking demand to be massed by folks that are parking in the private lots. So without an understanding of how full those private lots are at the time that you're looking at you're on street you might lose some of what that true public public parking demand is. And you'll note that both the 2005 and the 1994 study did look at private parking as well just generally we would also recommend that in our industry we tend to avoid days around the holiday and on the holiday itself just because of the atypical traffic and parking patterns that might arise. And certainly a location that attracts tourist and visitors that atypical pattern might show more than others. So we do note that it was in that Labor Day weekend. And then lastly we wanted to bring up the fact that there was no evening counts although again talking with the town administrator anecdotally it did not seem like that was a major concern. One other and I'll skip to Slide 18. One other item that we had a bit of a data gap is the way the data was aggregated. We got information about Washington Street we got information about federal street or the sidestreets. But the data wasn't stratify it wasn't broken down to a level where we could say this block of Washington Street is available versus the block to the East or to the West or which side of Washington street is available. And while that might feel like very detailed again if you're looking to answer the question is there enough parking telling someone that there is parking available. On Washington the street doesn't communicate as much. If they're saying well if I want to park right in front of the bank it's always full. But you're telling me there's Washington streets open. So generally when we do these type of studies we do get very specific to the level of which block is available which side of the block is available which side of the street is available. Another potential data gap is the duration of parking. That wasn't a focus of this. This was more about the count. But if we're trying to understand how the three hour and eight hour signs are doing we do want to know how long the average person's parking. Are they parking longer in those three hours. Are they parking longer than eight hours. I hope no one is. Although again we have some really good anecdotal information that and I'm sure the police chief can back this up with a specific number. When we spoke with him he mentioned that of all the parking or of all the ticket citations given to folks that were parked the duration was the last thing. So in that regard let me go more clear people were getting the least amount of tickets for parking longer than the three hours or longer than eight hours. There's other issues going on. So it doesn't appear as though the duration is an issue. It would appear that three hours is appropriate but we don't have the data to back that up only the anecdotal information. I did mention the relationship between public and parking supply that's

something that we would think would be really helpful to understand. And then again another way to break down the data would be to look at specifically was the reserve space occupied or open was the designated space occupied or open as well. So these are on slide 19 are interpretations of the data. What we tend to do in our analyses is look at a typical weekday or a typical Friday or typical weekend. So your typical weekdays are Tuesday and Thursday. We omitted the data collection days that were adjacent to the holidays. We took that out of the data set. Same thing with the Fridays and the weekend we took that out [inaudible] if it was adjacent to the weekend. And what you see when we shot it this way is you tend to see a little more red on the table which backs up what folks are saying and backs up our understanding of parking in Middleburg during the midday. That's when you're the highest demand and that's when people probably are feeling like there's not enough parking because that's when they want to go to their favorite restaurant. But generally you'll note that on a typical weekday Monday morning midday afternoon there's not a lot of red on that table. That means that there is generally available parking is where people want it. That's a question we can still come back to. But throughout the CBD there is available parking. We also note that for example if you look at that typical weekend parking table even if Washington Street is at 93 percent occupied 93 percent of its full. If you look at Federal Street 47 if you look at Liberty lot 48. So there is availability in other parts of the CBD for parking. So maybe the real challenge is communicating that to the visitors and the residents that hey maybe you can't park right in front of your favorite restaurant but there is parking on the side streets there's parking in the lot. And it's there for you it's not a far walk. So we can we can jump back between slide 19 and 20 if you have any questions but just summarize our findings are we believe that there is based on the data there is sufficient available parking within the total central business district that was studied to accommodate that typical parking demand. Now at that peak time that midday that's when you have a little bit of tension but still there's parking in other areas off the main stretch that could support that. So on average that CBD parking occupancy did not exceed percent on that weekday weekend or Friday so that's well below 85 percent where you're effectively full midday as I mentioned is the peak of parking activity. And so when you what we're going to get to really is that if you look at that typical Friday for example when nearly all parking is full in that peak of activity during the midday that's when you get that perception that there's not a lot of parking in Middleburg. But really there is it's just that not when you want specifically where you want it during the peak. And what we can do and what we can recommend is a little more information about where the parking is to help alleviate that and certainly that goes along with the wayfinding plan that's being developed right now to better inform residents and visitors about where you can go to park in Middleburg. So if we talk about our recommendations on slide 21 we have some near and long term strategies that we want to share those near term are things that you can do immediately. And really that's going to address the perception through information long term will be things that are a little longer lead a little more data rich to help build those strategies and also based on some supplemental studies. So in the short term in the near term Slide 22 you can create some additional high turnover parking zones. So as I mentioned you have that 15 minute parking. You could do that again. Kind of put those where folks really need to get in get out or near the BB&T post office the coffee shop where it's a quick trip and you know they're not going to take up parking for multiple hours. That's going to encourage turnover in the CBD. You can also look at coordinating with either national sporting Library Museum the community center and other kind of large owners of private lots to identified some shared municipal parking opportunities. So if you imagine during certain

times when again residents and visitors want to use parking in the town community center and the museum may not be fully parked there it could be a shared parking agreement where that's in hours certain day that parking is available to visitors residents. And that's something that can be done a little quicker than in the near term compared to some long lead items. We did mention the parking wayfinding plan. I think again there is if we believe that there is sufficient available parking then the just communicating where that is through adequate signage would help to get folks out of the circulating looking for parking mode and parked onto their destination two other items that we have some examples for you are developing a public parking map and parking guide. So on slides 23 and following on these are just some examples of municipal parking maps that various agencies have created they can be all kinds of refined or stick figures or you know very detailed. They could also serve to point out points of interest as well. If you want to kind of dual purpose it. But really what it's about is having a way to communicate where the parking is for folks that are visiting folks that live here. It can be pamphlets in the businesses. This is a good opportunity to kind of partner with local businesses to keep those available online. So we're showing city of [inaudible] Chapel Hill North Carolina. Again that's a very similar one in terms of Main Street with a couple of perpendicular crossing streets. City of San Mateo and [inaudible] the other one would just be a very simple how to park guide. In layman's terms kind of goes the where when and how a parking in the town of Middleburg. Again printing online and really the idea is just in some way communicating to people who are coming here to park where you can park when and how easy to do and what your options are as well. So if you can't get your primary or your first parking spot there are some other options for you. Some long term strategies. So these are [inaudible] a little bit more work on the town's part but we think that they could be useful. So we did mention shared parking agreements between the town and the museum and the community center. There could be shared parking agreements between business owner and business owner where we will allow each other's employees to use our parking spaces when we're not full or at certain hours that we were taking employee parking off of Washington Street off of Federal & Marshall and opening that up for the visitors the residents and the folks that are patronizing the establishment. Certainly the shared parking agreements would also be between the town and specific businesses. So for example if the bank if evening parking was a issue and the bank is not operating in the evening then that parking lot is open. So it could be signed for after 6:00 or after 7:00 to match the other signs open for resident parking or visitor parking. So that's an option as well. So that's really could be depending on the outreach the business community and how you can build relationships. And certainly it sounds as though looking at the 2005 study and some the past correspondence it seems that the business community is interested in solutions to be able to get folks into their establishments a little easier last kind of a long term item would be to conduct a full or supplemental study to kind of pair well with what's been done here. That would really just serve to bridge some of the data gaps and give you a little more information to make some of the strategic decisions about how you want to manage parking in the town. Certainly would include probably a broader study area a little closer to what was in 2005 the 2005 report. It would break that down that data by street side of side of the street and block so you can have some targeted strategies to bring parking to that location or direct folks who are trying to park in that location. It would be a one way you could do it with hourly accounts instead of a static count at midday. At lunch you can count every hour or every know whatever increment you want to kind of see how parking ebbs and flows. Understand if it is really one peak in the day or a couple of peaks of parking in the day

and maybe then at that point we can find out how we address each of those peaks with the opening the oyster bar I think and some of the evening activity perhaps adding an evening data collection and having some strategies for that would make sense as well. Again and looking at some town councilmen and I know that the Christmas season and the visitors that attracts is kind of seems like that's a recurring discussion and how you address parking during that time. There's certainly some kind of seasonal or event data collection would help bolster that and give you a little more truth to power in terms of the information you have. In 2005 you also conducted a resident and business survey to get the lay of the land and figure out what folks are saying about parking where the issues are. That would certainly help target your initiatives. And then lastly just you know kind of things that are already going on now the wayfinding plan incorporating that within a broader study would help kind of identify how we should strike parking and also how we direct people to it we can look at a shared parking analysis. That's going to help you identify those businesses where based on the way each of them are patronize or their uses that we identify which will be the most compatible to share parking. You know in terms of the demands. And then lastly kind to parallel the comprehensive plan that you're doing recognizing that development patterns are changing. You might fill some vacancies and that sort of getting an understanding of the future parking demand. So we're not just solving today's problem but we're also thinking about tomorrow's problem as well. Tomorrow's challenge and the opportunity that brings a future parking demand looking at land use and parking ratios would also be something that would be included in a full study. So to conclude on Slide 30 I do just want to make sure that we hit it we do hit on the question that kind of came out of that visioning session. So is there enough parking. I think the answer is for the data that we have. And on aggregate yes generally there's enough parking within the CBD. We'd like to be able to tell you a little more specifically on which side or which street. And I think that can be done with more information more data our sign hourly parking limits appropriate again with the way that we have the way the data was taken we don't have that specific information but with the anecdotal information that we have about the number of infractions it would seem is three hours is enough time to park go visit a couple of shops to get a nice lunch and get out without getting a ticket. One of the relationships between observed parking and traffic flow issues. We did mention the more time you take looking for parking the more you're circling the block that's going to create that tension between the folks that are driving folks that are walking and bicycling and folks are looking for parking. So if we can solve some of those issues then we solve some of the challenges of parking we should be able to solve the challenges between parking and traffic flow. Are those marks and sign designated places located in their appropriate locations? So that's a challenging question. If this was a parking lot if we were to say the town of Middlebug was a parking lot and had 200 spaces six marked or designated spaces would be the appropriate number. And actually that's what you have in the town you know the six spaces within that CB area that we looked at. Now this isn't a parking lot it's a municipality so there isn't a good way to say how many you need. It's really how many of your community and your constituents ask you for. Are you still getting questions about how come there's not a spot a space designated space here on this street versus this street or in the middle of the street versus the end of the street. This part is really going to be conversational dialogue between you and your community. And then lastly how can the town better manage the parking and with respect to our parking program we didn't get too far into the reserve parking program though we can say that again one of the mixes of folks are parking are the employees parking along the main stretches. So if that reserved parking program was

expanded including to include a couple more businesses a couple more employees being able to give them a designated contained safe space for their car can be and then they can walk to their work establishments freeing up the street for the patrons the residents the visitors. I think that's how you better manage the parking and the town. I think that's how that program helps you manage the parking. So those are the major questions we are available for any other questions you may have or I don't know Ed & Mike if I missed something insights you wanted to offer.

**Ed Papazian:** I think you nailed it very well David. This is what we talked about and I think you've expressed it very well.

**Michael Connor:** I do want to offer insight. I'm new to Kimley-Horn. So when I came on board 2 weeks ago and David told me they were involved with Middleburg I'm like wow [inaudible] coming here for a while whether it's you know Southern states fee for my chickens or go [inaudible] slightly different clothes [inaudible]. One thing I noticed from the data haven't come here so long you know in 94 there was 905 total parking spaces in the study area. In 2005 twelve forty eight. OK. The supply is growing. The public by 9450. The public supply 2005 386. So it's not growing. Now is that a crime? No. Again what is the responsibility of government is it to build parking for people park or is that private sector's responsibility? Well it appears just looking at simply that data that the private sector has stepped up and taking care of quite a bit of responsibility which is great. Again I worked in Arlington for a number of years. Arlington of the millions of parking spaces we managed 9000 off street spaces and 5300 [inaudible] tiny fraction of total supply of spaces available for anyone. And so I just wanted to share that perspective with you because is it your responsibility to build more public parking or is it to encourage those who choose to build parking to manage it in a way that can be shared.

**Betsy Davis:** Thank you. It was a great project here. Council members do you have questions for?

**Peter Leonard Morgan:** Thank you very much for coming this evening. I do have a question. You're in Reston and we're in Middleburg and Reston has gone from free parking to pay parking which put a lot of people off going to Reston including us and we've gone the other way around which I think it's been fantastic for Middleburg. How does that impact from your point of view your professional point of view a parking study? Because clearly when people come to somewhere like Middleburg and they know they have to pay. It's one of those things it's annoying but they do it when it's free parking but it's limited on time. It's a great benefit a service but I'm just curious to know your sort of professional opinion about the differences in the two? [inaudible]

**Ed Papazian:** Obviously the Reston parking situation [inaudible] Reston town center which is controlled by a developer by the owners of that of that project and they've instituted that. And there's been issues with it as as you've seen in the media patronage at various facilities are down. We had some very popular shops that are moving not renewing their lease. So I think it's had an effect on an adverse effect on the attractiveness of the Reston Town Center. Now they've also made adjustments and kept the parking free for weekends. So it is not paid parking their original intent was going to be paid parking at all times. But they've had to scale that they've had to scale that back because of the issues associated with it and the unpopularity of it. So very definitely there is an impact.

And tying in with what Mike just said the one is controlled by the developer the rest whereas this is your parking situation and municipality and it frankly gets to a zoning issue of you know do you force developers. Someone that's opening up a shop I should say not a developer but someone opening up a shop to provide parking and take the space up that could be better utilized for for some kind of a shop restaurant store to to the actual interaction of people as opposed to providing parking. You're fortunate because you have streets here with a blockface and it is a town it's a lovely town and this is typical of towns to have parking on the streets. So those are a few random thoughts about that.

**Michael Connor:** I mean my thought is I mean over the years we've studied Warrington Leesburg Fredericksburg Stanton Roanoke Lynchburg and they're all wrestling with that same equation. And Charlottesville that you know the meters will be in place and then they yanked them out the night you know before they went into effect. So it's not an opinion of what are they doing you know because who cares what they're doing it's what you need to do. What's important for you the town of Warrington did did a study why because the cost of doing what they were doing was increasing parking lots cost money. Curbside spaces cost money parking meters maintenance and revenue collection costs money and cash strapped communities are all starting to look at you know what are we getting on our return on this investment. It's one of the things I'd add to whatever study you did your public work folks it certainly crunched the numbers a little bit of help was what is the true cost of your infrastructure how much you pay and therefore how much are you subsidizing that infrastructure because you aren't. And we don't use the word fee based parking or pay parking that's complimentary. Somebody's paying for it. That's why I didn't want to comment on the Reston town center thing because it's who cares. You're you.

**Betsy Davis:** Other Phil?

**Philip Miller:** Thank you for coming. I appreciate that you guys did this analysis. But in my view I feel like we don't really have any more data or conclusions than what we had before we did this. I don't feel like we've answered these questions. Seems like we have the exact same numbers that AJ provided and we have a whole bunch of data gaps and all of this was collected last September and we have a totally different situation in the CBD now. I just feel like we're nowhere.

**Ed Papazian:** Well let me let me respond to that if I may. I understand your your point. I would argue that what we what we have done and our charge was to evaluate the data that was collected last August September see what the what it says and whether or not there's other steps that should be taken subsequent to that. And I believe I maintain that we have done that. It reinforced some of the previous conclusions which is not a bad thing. If even if it's just reinforcing something or conclusions that we already have already been drawn. But I think that what we have done is to identify where if you wish to go further and refine that data and be a little more fine fine grain with it then we have a plan of action to go ahead and collect that appropriate data so that we can identify the details of the of the parking supply and demand comparison.

**Darlene Kirk:** I think what we need to decide is how much more do we want do we want to continue do we want to have them do the in-depth analysis that they're suggesting or

how do we want to handle that. That's what we need to do. I don't know what your thoughts on that Philip.

**Mark T. Snyder:** I would suggest that we wait until we want to put in additional parking so that if we're serious about putting in additional parking that would be an appropriate time to go back and open up the study and look at some of the gaps and see how we might best provide additional parking. I mean none of it's free so neither their time nor the parking. So if we're thinking about spending money on the parking I'm guessing the parking is a whole lot more expensive than their time. So it might be money well invested.

**Kevin Hazard:** Looking at the way you put the data together I guess there was no way to determine from the way it was given to you whether the east side of town or the west side of town would that be the kind of data?

**David Samba:** [inaudible] Unfortunately the way it is summarized no we cannot give you that information but that's the kind of level of detail that we would go to on a typical study for that we would prepare.

**Michael Connor:** One things we always consider is acceptable walking distance what's acceptable walking distance well in Manhattan. You could be a quarter mile because that's just the experience you know. But you know in most of you know Virginia and the smaller cities it's a very small walking distance depending on their trip purpose so I'm here to you know to grab a sandwich or you know to pop into the market which I guess is now an oyster place. Acceptable walking distance it's very short. Right. I'm an employee and I'm going to be here for long periods of time. My tip to walk to this is longer. So once we know more about the data on a blockface by blockface basis as well as your inventory of spaces by Block and Block and then [inaudible] that's the right mix or the right combination. And so yeah you're close to getting some very useful and leverageable data but not close enough.

**Kevin Hazard:** So would it be possible for us for us to do the leg work? [multiple speakers] we can do a more expanded study on our own.

**Ed Papazian:** Correct. And then we can then interpret the data.

**Kevin Hazard:** One other quick thing. Do you ever. Does it ever come up in a town let's say of this size some sort of valet's situation. I mean not that just specific [multiple speakers] to a town.

**Michael Connor:** Yeah I mean because the issue in Virginia is the public right of way. There aren't any valet parking spaces curbside in Arlington or any other urban area in Virginia because it's the public right of away. You know Tony's Pizza or you know the Red Fox in can't have valet parking in the public right of way because that's a private entity profiting from the public right of way. Surface Lot certainly could have valet operations and maybe you know what municipalities try to encourage is why not the Red Fox and talk with the BB&T bank about some type of valet system and let them work it out. Again my mantra here is always what is the public's responsibility to vibrancy and success. Was it to build the system? No. To encourage it? Yeah. It depends. Different

communities do different things. But you know again like warranted they'd love to build a parking structure. They don't have the money. They've never will have the money. They know that. And so they have to be careful in development. And so you guys are in a similar boat would presume in terms of building more. Well that's the land value. There's parking there's maintenance blah blah blah. So be very careful. But if the private entities can work it out together like a valet system let it happen or at least allow it through to happen through codification or other ordinances that you do control.

**Trowbridge "Bridge" Littleton:** So Mike you've been coming here for years what's your perception is. On a personal basis not as a professional base.

**Michael Connor:** Yeah. Thank you for asking that question. The can I park here? You know you know that you know the public streets are clearly the public streets. I know I could park on the street. But Washington is always chock a block or you know you have to park three blocks down which you know don't really want to walk that far. So I make the left turn and then I'm not sure is that a public lot or a private lot? Is that a little gravel area somewhere I could park where I get towed and so there's that confusion. You know when when David showed me the study and like they have a park they have a public lot I didn't know you had a public lot. Now of course the way finding signage you have done it improved that dramatically. But again that experience if I could find a space. But is it a space I could park it and without getting in trouble with the property owner.

**Betsy Davis:** One thing I would add from your presentation is I think we can do a better job and of course part of it's because we're working on our Web site. But when we get that really going I think it's very appropriate to have you know this parking map is just sort of addresses all that you're saying that shows maybe in colors you know the three hour parking eight hour. And it shows those municipal lots we have. And you know perhaps there are spots we could have like behind the community center if we talk with them maybe could say sometimes this lot is available things like that because you know it's not always available but gives people options because I think that's important you know or a flyer that they can download that they can bring with them and and when they coming into town they as you say they know right away where they can go or at least look.

**Michael Connor:** The town of Warrington has a contract with the Baptist church. It's the renewable contract every year because there are certain you know fiduciary and liability issues that no property owner or church is kind of exposed to when it becomes a public lots on weekends on or Saturday or whatever it might be. And so that's again something you need to take a look at in terms of what we want to encourage the BB&T Bank to become a public lot after noon on Saturdays because it's closed. And so but he's going to go what somebody trips and falls. They're going to sue. And so but liability insurance is a lot less expensive than land and more parking. But I certainly encourage you to reach out to Nevada. BRADY Godfrey I don't know if you know those folks up there in Wharton because they just went through this experience and they're learning a lot with the infrastructure they have. So we certainly are conduits to all kinds of experiences.

**Peter Leonard Morgan:** I think if you're a professional parking planner and you had problems finding a parking that's a real problem [laughing] I understand because I didn't always live in Middleburg. And I remember coming here and it always was a bit

confusing and seeing the maps and ideas obviously is really important. And appreciate your comment on that. Thank you Mike.

**Betsy Davis:** Other council have any other questions? OK. Well thank you so much we appreciate it. [inaudible] Sorry start this over again. OK. So now we are on number. The council approvals which we canceled for this evening the special event funding recommendations for [inaudible].

**Philip Miller:** Yes the committee met yesterday and the recommendations that were in our packet are actually going to go back to the committee and we'll have more information on that. Jamie and I are working on it. But essentially it was incorrect information.

**Betsy Davis:** Ok. Our next meeting is that what you saying?

**Philip Miller:** That's the plan.

**Betsy Davis:** OK.

**Mark T. Snyder:** [inaudible] When does EDAQ meet again? Again to the microphone this time.

**Philip Miller:** That's to be determined we're going to have to have another meeting soon in order to solve this issue.

**Betsy Davis:** Ok. Then we will move to item 4 the discussion items. First one is the blight abatement.

**Will Moore:** Thank you madam mayor of members of council. As noted in my memo we talked about this briefly late last year and we had let it go cold for a little while we wanted to bring the idea back up to you had some discussion with the town attorney as well as between the town administrator and I. Essentially we have some blight abatement provisions right now and they're currently located in our zoning ordinance which is a little bit problematic just because if you want to address this you have to go through the Notice of Violation process and the phrase I used within here is that it ties our hands a little bit and that comes directly from Martin. It's it's not really something that would typically be located zoning ordinance it would be a town code provision and it just it can speed along the addressing of the issue. It takes any disagreement with somebody who is cited for a violation. It takes it out of the realm of the Board of Zoning Appeals which would have to be involved than if it were cited as a zoning violation. The other couple of things that kind of tie our hands right now. This only applies within our historic district. And then furthermore it only applies to structures that are designated as contributing structures within the district. The enabling legislation under which we adopted those provisions doesn't tie your hands in that way. This could be adopted town wide. So any where you saw issues that can be addressed under this maintenance issues could be addressed anywhere within town. You don't need to limit it to the historic district. And you don't need to further tie it to only structures that are noted as contributing. And I will just have word on that contributing structures means a little bit different than what you might think. You know sometimes that's designated by the period during which the

structure was built the building that folks here know is the Billy Do building which is where the sushi bar is right now. It's one of the more unique buildings in downtown that's some people in the historic district review committee have in the past said it's their favorite building in town. It's not a contributing structure district simply because of the time period in which it was built here in a few more years when we update our survey and another maybe 10 years that will fall in that time period. But if there were an issue with maintenance of that building right now we could not address it. So there's no issue with that building right now. But that as an example. So what we did we looked in the Code of Virginia at the different enabling sections that allow you to address blight. There's a full gamut of some of these are intended to address property structures which are really in decrepid conditions falling down. Sometimes it's immediate life safety issues that have to be addressed through building code. These are things that we don't seem to be struggling with here in town at all but the section that we note within the memo 15.2 - 906. It gives us broad ability to address things that don't pose an immediate or imminent threat but the kind of things that could if left undone lead to deterioration of the building so that these can be just simple issues as peeling paint where it's starting to expose wood to weather and could lead to rodding which could lead to further deterioration so it could really allow you to get out ahead of some of those kind of issues so it's just interesting I went back through some of the minutes from when the existing provisions in the zoning ordinance were adopted and didn't really get a good feel for why we were limiting it to the historic district and contributing structures. There were a couple council members who were concerned that it seemed that staff might overuse the provisions in here just from reading those minutes but nonetheless it passed in that format. So the question to you is does this council think that these are provisions that we would like to have available to us town wide? And if so we could take you in a direction and we kind of gave you an example of a much more simple ordinance that's in place in Manassas and the other thing that we would have to do is we would repeal the existing sections in the zoning ordinance so just trying to get your direction.

**Mark T. Snyder:** So I think the existing regulations rules were written to prevent demolition by neglect in the historic district. At least that's my recollection of our emphasis. Is it possible to keep that and also implement ordinances that address simple blight where and historic building or property is not necessarily associated with the ordinance? It's just involves blight. In other words can we have two different regulations one that prevents just destruction by neglect in the historic district primarily and then for all properties have something that addresses just simple blight conditions that we do not want to allow here.

**Will Moore:** I think the simple answer is that the what we would propose as a replacement still accomplishes the first goal is preventing demolition by neglect within the historic district. It's that. It's such a broad enabling legislation that could accomplish everything and more that the existing provisions in the zoning ordinance does it would not. It would not limit or eliminate in any means our ability to prohibit demolition by neglect in the historic district.

**Mark T. Snyder:** Ok I'd like to be convinced but thank you.

**Trowbridge "Bridge" Littleton:** I mean so I think this is great. I think this has been a long time coming. I know this is something Martha and I've talked about many many

many times because I think by and large we got a lot of great landowner's but we've got one or two who just don't do the upkeep and it's you know we need to help them help themselves which affects everybody else on the block around them. So I think to Mark's question about demolition neglect. I think from what I read this is just it's not limiting how bad it gets. It's actually making allowing you to take action sooner before it gets to the point of being demolition by neglect. And if you do that you are preventing demolition by neglect. So I'm all for it. I think it's great.

**Darlene Kirk:** My concern though for demolition by neglect is I don't want to just for the historic district. I want it all over town because I don't want some I don't want somebody that lives up near Mark up near me just suddenly say you know I don't like this I'm just not going to do anything about it. So I think it needs to be over the whole town. That was my point.

**J. Kevin Daly:** In reading 15.2 - 906. I concur with Darlene and Bridge that it's not just a single building. We are a community of buildings and businesses. And if one is started to go to seed. It causes a blight for the entire area. So I think our ordinance should be all encompassing. It's not just the historic district. It's the community and town of Middleburg so I would say we should incorporate incorporate 15.2 - 906 as the town wide ordinance.

**Kevin Hazard:** People. So this has been done in Manassas and I'm assuming and in other jurisdictions is there now a some case law as to how I'm looking at this and it's so broad where do you draw the line. And that's the that's you know I can see that becoming a potential lawsuit against the town. You're telling me that because I haven't painted for two years that you're going to paint it is there is there enabling law on that? I mean I know we have enabling law to do this section but what kind of a can of worms that we're opening?

**Will Moore:** I would absolutely have to defer to the town attorney on that. I'm not aware of any case law that's been decided out of this. I mean the the legislation still remains so there's clearly been no case law to the extent that it would require the legislature to amend the code. But I'm not aware of the extent of case law.

**Darlene Kirk:** I think yeah I agree with Kevin in a way we do need to be very careful because it depends on the person that's in your particular job. Somebody might be really strict and every little thing in the document in somebody else in your position can be very lax and I'm not judging you at all but that I want you covered as I'm trying to say is that I want to make sure our lawyer or whoever drafts this has very specific guidelines so that you aren't subject to any problem that you don't want.

**Will Moore:** Well and thank you for that. But let's not jump to the conclusion that I would be the enforcement authority on this. Because once we take out of zoning it could be the town administrator or it could be a designee which would probably be me. [laughing] But yes I definitely appreciate that but I think those are some good points I can certainly pass his questions on to Martin and maybe he could address those at the next council meeting.

**Betsy Davis:** The thing I would add is I was thinking the exact thing that Kevin asked which is I mean I think it's I think it's very important to do this. I guess there's a fine line as you said it should have been painted two years ago and you go paint it. You know I'm just not I don't want to get to. Yeah literally. I mean I think it has to be more specific to really really making has a bad appearance for the town. Not just I mean yeah it should be painted and I'm sure we can address that with the owner but I just don't want to get too far along you know just sort of micromanaging everything.

**Will Moore:** Absolutely. And the other thing I'll just highlight for my memo was one thing that Martin did mention in the discussions is also the ability to actually make this work and his experience has sometimes been hampered by lack of public funds because what happens in this case is if somebody does not respond then the town has the ability to go in and do the work build owner. But if the owner doesn't pay we have to place a lien on the property and it could be however many years until the property is sold until that lien is paid. So just it is something that you would have to be willing to commit public funds if you thought a situation was reached that point where we actually needed to step in and do the work ourselves.

**Betsy Davis:** Any other? Yes Kevin.

**J. Kevin Daly:** From what I'm hearing is it would be a proposal to say I'm sorry there's 2 Kevin. So J. Kevin sorry. That we have further study and another briefing at a future date where we discuss many of the issues that we're talking about how do we control this. And it's not just a case of painting every two years but two years ago we had the hailstorm in 2016. Should those broken roofs and broken windows that are still ballooned over with tape or tarps on. Should they have already been repaired by now? But these are things I would like to see you and Martin discuss and come up with some proposals.

**Kevin Hazard:** The other cautionary tale I would think that as we write this legislation you know we're cognizant of that. We're also cognizant of the fact that you know the same people who aren't doing repairs may be litigious and we could get bogged down. So I mean we have to I think you hit it on the head. We have to be prepared to put some money aside for it. We don't want to write a rule and not doing anything with it. So all of those things have to be taken into consideration for writing this kind of legislation.

**Betsy Davis:** Anyone else have any? Mark.

**Mark T. Snyder:** I think key in this as a property owner is being able to communicate so that if I'm trying to keep up my property I can keep track. Am I following the town rules? How do I know? How do I know that somebody won't mysteriously come knocking on my door or sending me letters or calling me on the phone saying Mark you really got to take care of the X Y Z that I didn't even know was an issue. I really don't want the town to be nannies to people. If we're not just because we're not providing them the ability to just say yeah I think I'm doing well and you know I've checked the town the town communicates all this stuff to me. I think I'm good. I want to be able to have that feeling.

**Philip Miller:** Well I think communication is important. And just like the issue with the little cottage on J Street with the HDRC we need to do a better job of communicating these regulations to people to make sure that they know the proper channels and what

approvals they need to get to do these things. And you know at what point the town is allowed to step in to tell them to do it. But I do think that it's a good idea for us to if we're going to have this ordinance to for blight abatement that we do it throughout the town not just the historic district. And I think it goes to the entire Middleburg experience that we talk about you know if Jamie's walking a business through town showing them a beautiful building that's ready for a new occupant. But it's next to an eyesore that hasn't been updated painted repaired for years. That obviously is not a good selling point for Jamie or for that business. So I'm supportive of it but I do think you know having our ducks in a row in terms of funding it. Having specific regulations as to how it can work and how it cannot work. That's a great great idea and a good good thought Kevin. But I also am curious in your experience and having been here for as long as you have how much do you see using this?

**Will Moore:** Very good question. There have been instances where I've had reports of properties that I could not address. Mr. Daly brought one to me from within his own townhouse complex and in that case it's within the historic district but the townhouse complex as a whole is designated as non-contributing. So it was an area where I could have addressed an issue could have helped out the association there. They may have their own avenues of dealing with that person but we might have had a way to deal with it there. So certainly opportunities but I'm not in a hurry to go out and start hammering on people by by any means. I think we have a good history here of working cooperatively with people before issues become major issues. Sometimes that drags enforcement along with some things. Mr. Hazard's pod next to him just finally disappeared literally [inaudible] just just disappeared today finally and it took going steps. You know we could have initiated a formal enforcement procedure a little bit earlier than we did. But by not doing that and by attempting to work cooperatively with people that generally has a better result it generally gets results quicker and it generally leaves the residents or businesses that we deal with with just a better taste in their mouth that they didn't get a cold formal notice of violation from the get go. So I would envision the same kind of thing if we implemented this town wide. We're not going to immediately go into formal procedures with people we're going to try to reach out cooperatively and just let them know that something appears that it might be an issue and talk with them about you know what kind of timeframe in which they might be able to address it. And if it becomes one of those things it simply gets ignored which happens occasionally. Then we have to move into those formal procedures.

**Philip Miller:** I think that's a great approach. And I think it's one that fits our community values. So thank you.

**Kevin Hazard:** Just a thought. Our opening program today was the home improvement program from Loudoun County. You know maybe we can do something like this not just as an enforcement action. Maybe there's a way to incorporate some some sort of framework for helping them to fix it. You know this program or some other program incentivizing it may be as important as you know going after them. So maybe we can work something like that.

**Darlene Kirk:** Again I was just going to say you Will you're great you're very low key but we have to when we write this we have to make sure that the town is protected too from someone who might someday be in that position who wants to go after every little

thing. So we do need to make it very clear and next time you say I sort don't point at me.  
[laughing]

**Betsy Davis:** Ok. [inaudible] Any other comments or questions?

**Philip Miller:** I was not pointing at Darlene. I was simply gesticulating. Sorry.

**Betsy Davis:** Ok anyone else? All right. We will move on. Thank you Will. We'll move on to the FY19 utility fund budget. So Martha we'll you take over here.

**Martha Mason Semmes:** Thank you Madam Mayor. Hopefully this is the last time you'll see that [inaudible] it is on. Sorry. It should be on. Yeah hopefully it's the last time you'll have to see the budget before the public hearing but this is a good opportunity for you to go over it one more time particularly utility fund because we had to make these last minute changes with respect to the Ridgeview Waterline project. And as I indicated in our memo I did make a few changes Ashley and I to the general fund and those also have to do with our capital projects the first one is the Windy Hill driveway upgrade which is part of the West End Pump Station project but because it's part of the property that we use for other things we've carved that out and are paying for that out of the general fund. That project is probably going to be mostly done in FY19 after July 1st so we just move that work into the FY19 budget under the general fund under maintenance. And the second project is similar the Marshall Street sidewalk project. We are getting close to getting approval for from that from FDOT I believe Will told me. And so we're going to be hopefully bidding that out very shortly. However just the time to get the bid out and have people respond and process those it's we're going to be into the next fiscal year before that's done. So those again those project costs have been shifted into FY19. Do you remember that we still have the funding from the county CIP we apply for those funds from the county in a little over a hundred sixty six thousand dollars that we have in our reserves from the county for that purpose they've already paid us that money and in spite of those changes we still have a contingency of little over two hundred thousand dollars moving forward in the general fund. On the utility fund side we as you know as we explained at the last meeting when we were going through the bid award on the ridge view water main project we needed to revise the budget in response to the bid coming in higher than the engineers estimate. As a result we got the revised engineer's estimates for this project broken down by fiscal year which is on the third page of the memo and we've worked those numbers Ashley and I work those numbers into the budget. And it did result in as you can imagine a major increase for next year although fortunately it does straddle both fiscal years but as a result in the best that we could do to make the most accurate budget for you we added an additional little over 116000 dollars almost 117000 from utility fund reserves for a total reserve transfer of four hundred twenty five thousand dollars. And we also increased the General Fund loan by one hundred thirty five thousand dollars so we have four hundred thirty five dollars out of the general fund so that we're approximately about the same in our general fund loan and our utility fund reserve draw on that. And then we obviously estimated the bond fund reserves that we already have and it's shifted those between FY18 and 19 as we needed to in spite of those changes and because we pulled in those additional reserve funds we're leaving ourselves with again a small contingency of a little over 25000 dollars in the utility fund. And I just went over those on a project basis [inaudible]

**Betsy Davis:** A question.

**Martha Mason Semmes:** Okay.

**Trowbridge "Bridge" Littleton:** Thanks. So I just wanted. So from last time when we looked at this we're basically saying is utility costs are now going to be 200000 more than we thought last meeting because the Ridgeview project increasing in cost and whatnot and we are funding those basically half out of the utility reserve and half out of a loan from the general fund.

**Martha Mason Semmes:** Correct.

**Trowbridge "Bridge" Littleton:** [inaudible] Okay. So is your plan in here still 3 percent increase on sewer and water?

**Martha Mason Semmes:** Yes.

**Trowbridge "Bridge" Littleton:** Okay.

**Martha Mason Semmes:** We made that work.

**Trowbridge "Bridge" Littleton:** Okay. So that doesn't change?

**Martha Mason Semmes:** Correct.

**Trowbridge "Bridge" Littleton:** Okay. Thanks.

**Darlene Kirk:** My question is sort of I guess for Rhonda she said 435 dollars as opposed to 435000 dollars you just automatically correct that we don't have to say whoops wrong amount? [inaudible]. Thank you very much.

**Betsy Davis:** Okay sorry Martha go ahead.

**Martha Mason Semmes:** That's all I had if anybody had any additional questions. Happy to answer them.

**Peter Leonard Morgan:** So these big increases are they increases that you say we thought might be out there or is this a big shock to us?

**Martha Mason Semmes:** I was not surprised because the economy is heated up here in this area there's a lot of construction going on. The engineers do the best they can to estimate the cost of construction but when there are a lot of jobs out there the prices go up. So I was not happy but I can't say I was surprised. We had the same thing happen with our route 50 waterline in fact this is actually closer to the engineers estimate than the route 50 waterline was.

**Mark T. Snyder:** Yeah this is the difference between what an engine what our engineer says it should cost. They do their estimates. When we go out and solicit bids and select the low bidder. We find out what our real cost is. So no it wasn't a surprise and it was

something that we discussed in the utility committee meetings the public works meetings because we anticipated there would be some variance between estimates and actual costs but it's not a shock.

**Betsy Davis:** Okay. Other questions for our clerk?

**Martha Mason Semmes:** Mayor just as a reminder the public hearing is you had asked us to schedule that for May 10th so we can be on part to do that. Will Rhonda & I work on that start that ad tomorrow and get that in the newspaper so we can have that for you on May 10th.

**Betsy Davis:** Ok. Bridge.

**Trowbridge "Bridge" Littleton:** So it's I just want to run through the time in my mind. So May 10th we have the public hearing if whatever comes out of that public hearing. Do we still have time to make adjustments as needed?

**Martha Mason Semmes:** Yes.

**Trowbridge "Bridge" Littleton:** [inaudible] we go OK we got to go back and redo this and rework it and we still have enough time to do whatever else has to do and still get the budget approved on time. OK good. Thanks.

**Mark T. Snyder:** With the caveat that if we increase costs we have to readvertise.

**Betsy Davis:** Anything else? So we are OK to advertise for the public hearing? Everybody's okay with that?

**Martha Mason Semmes:** Thank you.

**Betsy Davis:** And so we will move on. We have reports of town council or committees. Is there any reports to be given this evening?

**J. Kevin Daly:** This is going to be a safety briefing at the end. Next Tuesday we have a town election for mayor and council members. In every contested election there will be winners and there will be losers. I can tell you right now who the big winners of this election will be. The men and women who work and live in Middleburg. We have an outstanding lineup of candidates to choose from. All of them share one thing in common. A love for our community and town of Middleburg. They are all members of the Middleburg family. After talking with them and listening to their vision I believe they all share a common goal. They just disagree on how to get there. If I may misquote President Lyndon Baines Johnson it's politics not personal. I liken the election to a rugby match and as we all know rugby is nothing more than a brawl with a ball in the mud. At the end of the match the players emerge unrecognizable from one another in mud splattered uniforms. Broken noses are straightened and dislocated fingers and shoulders are reset. They then adjourned to the local pub were over a Guinness or two. They cheer each other with good match and well played all animosity forgotten. In that spirit I invite all candidates the current mayor and town council along with the entire town staff and police department to a non-hosted after election happy hour from 6 to whenever Wednesday the

2nd of May. I'll even buy everyone the first round of water with ice and a lemon wedge included. What can I say I'm a giver. Or if you prefer an adult brew of your choice. We are all members of the Middleburg family. Let's come together as a family after the election. If I may misquote another president who was also a Middleburg Community Family Member. President John F. Kennedy who once stood on the steps of the Middleburg Community Center and said I take pride in the words [inaudible] middleburger. And if that's not true it ought to be. Oh yes the safety briefing regarding the after hour after election happy hour at a place to be determined. Don't drink and drive. Go green. Walk home. And if you can't walk we'll call a duty officer to drive you home. Remember to vote May 1st and in in closing as we say in Middleburg. If I don't see you in the future I'll see you in the pasture.

**Betsy Davis:** [laughing] Thank you Kevin. Anyone else with any committee meetings? [laughing]

**Mark T. Snyder:** Nor is it my destination. I just wanted to report that the wellhead protection advisory committee did meet. We are planning to give you our final or not final our annual recommendation soon. I think we wanted to meet one more time before we did. We are tweaking our 2018 update to the advisory protection plan document and we're stretching. We're trying to stretch ourselves a little bit more on that. But that is upcoming. Either next month or the following probably July. I at the Public Works Committee is continuing to meet both these committees met last week and we are talking about details in some of the planned Ridgeview upgrades. So all that's going on with me. Thank you.

**Betsy Davis:** Any other committees? Peter.

**Peter Leonard Morgan:** Just a reminder that we have on Saturday between 10:00 a.m. and 2:00 p.m. The used battery take back program right here in the town office together with the police department's express expired drug take back program and then of course is Arbor Day. I think it's 9:00 a.m. at the Middleburg charter school which should be great for everyone to attend if they can. So wonderful. Go Green theme. Other than that nothing else to say but go green now thank you.

**Betsy Davis:** Darlene.

**Darlene Kirk:** Well it's not my committee but I wanted to thank Jamie Wolf for showing up at the town cleanup that was really great seeing you guys. Thanks a lot.

**Betsy Davis:** Yes Bridge.

**Trowbridge "Bridge" Littleton:** Just remembered one thing. There is a memorial service for Ivan Miller at Hill School on Saturday. At 10:30 for anybody who wants to go.

**Betsy Davis:** Anyone else? OK we will move forward to any discussion items. Kevin.

**Kevin Hazard:** Just something that I'd like to see on the agenda going forward. Last meeting we we talked about a marketing plan. And I had some real reservations about it

and I went home when I thought about it and I realized I really didn't have reservations about some about the plan itself. But the fact that I don't feel like I knew enough about it and I thought maybe some other people on council may have felt the same way. And I'm wondering if there can't be like an interim step. In other words we went from. We're going to do this and we had one choice and we didn't get a lot of how we got there. And maybe a couple of choices and maybe if we could in the past when we did something of that magnitude we talked it through a couple of times before it got there. And I realized it was on the agenda a couple of times but we never talked a lot about the money till the end. And maybe we could look at some interim you know looks maybe over a certain a certain dollar amount maybe 10000 20000 I don't know. Just something to think about going forward.

**Trowbridge "Bridge" Littleton:** Yeah I think I tend to agree with Kevin. I don't think it's specifically about the marking thing it's just the process. You know that whenever something like this comes along like the marketing plan or the Web site or we're going to do a 40000 dollar parking study you know. It's not the utility thing or it's when we have a one off you know a one off thing that we're doing that none of us have really you know it's kind of a one off. Right. And you know like a marketing plan I get the importance of it I get the understanding of it. Why we need to do and all that stuff and I think just having a better process of understanding what we're what we're getting what a benchmark is. I mean like on the town like a web site I've bought some Web sites before so I know what a benchmark is but on the market plan I don't know what the benchmark is. But now I know that what we're paying is actually kind of a average benchmark. So you know I at the time I felt comfortable with it. So but I think over all that when we have and it would be good to have some kind of a process to just maybe the top 10 questions that shall always be answered when something like. And I don't know what it is. But I get Kevin's point of just a comfort level with the details on these unique things.

**Peter Leonard Morgan:** So talking particular about the branding situation I was aware that a lot of detail gone into it behind the scenes. You know a lot of people from different areas of the community the businesses have been brought in to give their to analyze quite a lot of branding proposals. What I think probably Kevin's referring to and I don't disagree with him is maybe the communication of how that all happened and why we ended up where we ended up. So I think it's about the communication probably as well.

**Betsy Davis:** Okay. Other thoughts on that are we Bridge?

**Trowbridge "Bridge" Littleton:** Something totally different. I just wanted to actually thank Rhonda specifically but the staff in general for doing a great job of getting Granicus installed. I didn't even pick up my packet this week. I did the whole thing online you know pull down the app did it on my iPad. We've got the thing going in. And I think it's going to be absolutely awesome. I mean we're going to save them so much wasted time with not having to run around and do the packets and then send them out to people and have the cops drive around and then just the paper alone. It works great. It was easy to use. I tried really hard to screw it up and it was not possible for me to do it. So I am like I said you know really really excited and thankful for you guys to getting it through and I think everybody did a really great job. Thank you.

**Darlene Kirk:** My only comment about Granicus we got to move the clock because it really does Betsy and I can't see it. It's got a glare on it. OK [inaudible].

**Betsy Davis:** Yeah I just reiterate Bridge. Thank you for Rhonda in particular but all of the staff for getting this done. But I know you spent your Saturday till like 9 at night?

**Rhonda S. North:** Well Friday we started at 8 in the morning and finished at 9 at night and then we came back on Saturday and we were here till about 12:30.

**Betsy Davis:** Ok well anyway it is I also have been using it this evening so it's I haven't ruined it either. So that's pretty good.

**Peter Leonard Morgan:** As the Go Green representative I'm particularly happy that we're no longer going to have tons and reams and reams of paperwork because that's always offended me. But also your hard work stapling them together. When I came that one time to the office I thought we were moving out. [laughing] I didn't realize that happened every month. So thank you very much.

**Rhonda S. North:** I think you'll hear the copying machine breathe a big sigh of relief also.

**Betsy Davis:** So are you going to get is this the first meeting? Are they going to transcribe this? We'll get to see if how all of that is working is that right?

**Rhonda S. North:** Yes ma'am. So we have been broadcasting live this evening and Granicus over the next three or four days we'll create a transcript which will be attached to I will just do some basic minutes. It'll be attached to the back of those folks will be able to go online and watch the videotapes. The surface pro devices for the chambers have been ordered they've been shipped. So at your next meeting you should not have any paper any longer. We'll have devices here on the table and you'll just be able to come in and open your device. Enter your user name and password and everything will be electronic.

**Betsy Davis:** So will the when you get those minutes would they be emailed to us then or how does that work?

**Rhonda S. North:** Once I create the whole document yes I can definitely email it to the mayor and council.

**Darlene Kirk:** Are you going to go through their minutes just to make sure there aren't any things like the one item I brought up before you do your little thing for us please?

**Rhonda S. North:** I'll have to see what format they send them to me. And I would think I would be able to you know if it's done in like a word format I would be able to you know I'm sure there's going to be some name recognition issues things of that nature and that I could correct.

**Betsy Davis:** Any other discussion items? Somebody needs to make a motion for closed session.

**Darlene Kirk:** I move the council go into closed session as allowed under the Virginia Freedom of Information Act Section 2.2-3711 a three pertain to the discussion or consideration of the acquisition of real property for a public purpose or the disposition of publicly held real property where discussion and open meeting would adversely affect the bargaining position or negotiation strategy of the public body. I further move that these matters be limited to the acquisition of property within the town. I further move that in addition to the council the following individuals be present during the closed session. Martha Mason Semmes Bill Moore and Jamie and I further move that counsel there after reconven in open session for action as appropriate.

**Betsy Davis:** Is there a second?

**Trowbridge "Bridge" Littleton:** Second. [inaudible]

**Betsy Davis:** All right. Okay. All right so we will go into closed session. Okay. All of those in favor say aye. Aye. Opposed. Abstention. Okay. Motion carries.

**Rhonda S. North:** And madam mayor just for the viewing public. We will be turning the camera off during the closed session and once the council comes out of into it back into open session we'll turn the camera back on. I'm not sure how long the closed session will take but if they want to continue to watch at some point the film will come back on.

**Betsy Davis:** OK I ask council to certify that the best of each member's knowledge one only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and to 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. I'd like to remind those present for the closed session that any discussion that occur within it should be treated as confidential.

**Trowbridge "Bridge" Littleton:** Yes.

**Kevin Hazard:** Yes.

**Philip Miller:** Yes.

**Darlene Kirk:** Yes.

**Peter Leonard Morgan:** Yes.

**Mark T. Snyder:** Yes.

**J. Kevin Daly:** Yes.

**Betsy Davis:** Ok. Thank you. So I would like to also direct staff to proceed as directed in closed session. Okay. Any other discussion items? Any other information items?

**Darlene Kirk:** [inaudible] Don't forget Paint Nite at Mt. Defiance Cidery. It's our first one in the town of Middleburg and we'd like to have at least once a month so please buy your tickets.

**Philip Miller:** What's the date?

**Darlene Kirk:** Friday May 11th at 6:00.

**Betsy Davis:** Ok. Any other discussion items any others? Nothing. Okay we are adjourned.