



**MIDDLEBURG TOWN COUNCIL**  
**Regular Monthly Meeting**  
**Minutes**



**Thursday, February 11, 2016**

**PRESENT:** Mayor Betsy A. Davis  
Councilmember Kevin Hazard  
Councilmember Trowbridge Littleton  
Councilmember Catherine "Bundles" Murdock  
Councilmember Mark T. Snyder  
Councilmember Kathy Jo Shea

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

**ABSENT:** Vice Mayor Darlene Kirk  
Councilmember Erik J. Scheps

The Town Council of the Town of Middleburg, Virginia held their regular monthly meeting, beginning at 6:00 p.m. on Thursday, February 11, 2016 in the Town Hall Council Chambers, located at 10 W. Marshall Street. Mayor Davis led Council and those attending in the Pledge of Allegiance to the flag.

Mayor Davis thanked the Town staff for taking such good care of the town during the snow storm. She noted that Town Administrator Semmes, Town Clerk North and Economic Development Coordinator Pearson did a lot to keep the citizenry informed. Ms. Davis further noted that Chief Panebianco, Lieutenant Prince and Facilities & Maintenance Supervisor Simms stayed through the worse part of the storm to make sure everyone was safe. She recognized Stuart Will, of IES, who also stayed in town.

Mayor Davis noted that Councilmember Shea informed her that Elizabeth Dash, who works at the Safeway, volunteered to stay and man the store, which was why it stayed open. Councilmember Hazard noted that the store manager stayed as well. Mayor Davis suggested a letter be sent to Safeway's corporate headquarters to thank those individuals. She noted that there were many stories of neighbors helping neighbors and advised that people did good deeds.

**Approval of Minutes**

*Councilmember Snyder moved, seconded by Councilmember Shea, that Council approve the January 14, 2016 Regular Meeting and January 28, 2016 Work Session Minutes as amended.*

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

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**Addition of Items to the Agenda**

*Councilmember Murdock moved, seconded by Councilmember Snyder, that Council add Item #XI(C) (Council Approval – Resolution of Appreciation – Christmas in Middleburg) and Item XII(A) (Council Discussion – Parking Options During Route 50 Construction Project) to the agenda.*

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

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**Staff Reports**

Councilmember Snyder reported that the **Utility Committee** was continuing to meet with Bob Krallinger and was continuing to make progress and track what needed to be tracked. He advised that he and the Town Administrator would look at the Utility Budget soon.

**Town Administrator Semmes** reported that she met with Melanie Mathews, of the National Sporting Library and Museum, to discuss developing a Memorandum of Agreement on the cooperative use of the Pink Box property. She advised that they would continue to work on it. Ms. Semmes announced that the property had received tax exempt status; therefore, the Town would no longer have to make tax payments on the building. She explained that the MOA would replace the lease that the Town used to have for the property.

Town Administrator Semmes noted that she has worked on a request for disaster relief from FEMA and advised that she fielded questions on the submission earlier in the day. She noted that it would not be for the total amount of the Town’s costs and advised that she requested \$28,000.

Councilmember Murdock inquired as to how much of the budget was used for snow removal. Town Administrator Semmes reported that this storm cost approximately \$67,000. She reminded Council that the Town’s snow removal budget was \$50,000; therefore, it was already over budget. Ms. Semmes reported that at the time she prepared her report, she had not received the major contractor’s bill. She noted that there were enough funds in the Contingency Reserve to handle this and advised Council that she would be presenting budget amendments to them. Ms. Semmes reiterated that there was no need to appropriate additional funds as there was enough money in the budget – it just needed to be moved.

Councilmember Murdock noted that more storms have been predicted.

Town Administrator Semmes reminded Council that the Town did not use much of its snow removal budget in previous years.

Mayor Davis opined that the contractors’ did a great job. Town Administrator Semmes agreed and noted that she received compliments on their work.

Councilmember Shea noted the Chestnut Street water leak. She further noted that she spoke with **Stuart Will, of IES**, who did not know the water would be shut off at Sycamore Street; however, it was. Ms. Shea questioned whether there were districts for the water lines. Mr. Will advised Council that the water line maps indicated that they should have been able to isolate the break on Sycamore Street; however, the valves were not where they were shown on the map. He confirmed that ultimately, parts of Sycamore Street and Blue Ridge Avenue were affected. Mr. Will reported that because the maps were not correct; he could not tell correctly the staff who should be notified of the shut off.

Councilmember Hazard questioned whether Mr. Will was updating the maps as he found these items. Mr. Will confirmed he was making notes on them. He expressed hope that the maps would be redone entirely.

Councilmember Snyder suggested the Council may want to task IES with doing that. Town Administrator Semmes advised Council that she and Terry Inboden have discussed it and noted that it would be helpful to both parties. She opined that if the maps were accurate, it would help IES do their job when there was a problem and it would help the Town when making notifications.

Councilmember Murdock suggested the need to also address laterals that need to be fixed in the future. She noted that there were some laterals that piggy backed onto others. Town Administrator Semmes noted that that was a sewer issue. Councilmember Murdock opined that regardless, the sharing of laterals was a big issue. Councilmember Shea agreed there have been problems with them.

Councilmember Snyder opined that it was more important to track the water line valves. He noted that if they were not turned occasionally, they would freeze in place.

Mayor Davis thanked Mr. Will for his hard work during the recent snow storm.

Councilmember Murdock questioned whether the Chestnut Street repairs were finished. Mr. Will confirmed they were. Town Administrator Semmes reported that Tilton Enterprises repaired the shoulders.

**Economic Development Coordinator Pearson** reminded Council that the Bizz Buzz was moved to February 16th. She displayed a Shakespeare in the Burg poster and announced that they have scheduled events on April 1-3.

Councilmember Murdock inquired as to who prepared the event calendar. She noted that the Council and Town committee meetings were not included. Economic Development Coordinator Pearson noted that those meetings must be put in annually and advised that they have not been done yet.

Mayor Davis noted that the Town's old e-mail address was still listed in the Economic Development Coordinator's monthly report, under Upcoming Events. She asked that this be changed.

Councilmember Shea questioned whether a message was sent to the general public about the change of the Town's e-mail addresses. Town Administrator Semmes advised that they were on the Town's website and suggested the Economic Development Coordinator include this in her Friday e-mail blast.

**Town Planner Moore** reported that the Town Administrator met with a representative of the Potomac Conservancy and opined that it was a productive meeting. He advised that they have arranged for a meeting with Salamander and the Town's engineers and opined that they were making progress on the issues associated with their sewer system.

**Town Treasurer Bott** reported that she was continuing to clean-up issues and reported that there was a lot of data going back to July that needed to be entered. She expressed a desire to provide Council with a timeframe for providing a financial report; however, she advised that she did not know what she would encounter. Ms. Bott advised that the data entry was easy; however, researching where items came from and where they must go would take time. She reported that she had contacted a couple of software companies in order to get demonstrations on the type of financial software that was available. Ms. Bott advised that she would learn about one system via a webinar and another vendor was to get back to her within the next couple of weeks. She summarized that she was in the process of gathering information on a new system.

Councilmember Shea asked that the Town Treasurer determine whether there was a way to track where donations came from and where they should go. She noted that this was not done in previous years and explained that if an individual gave the Town money, it was all tracked as one line item.

Town Administrator Semmes explained that if Councilmember Shea gave a donation to be used for Go Green, she wanted to know that it went to Go Green. She further explained that all donations currently went into a donation revenue line item.

Councilmember Shea suggested the need to have a system where the donations could be checked. She noted that if the Council did not know where the money was coming from, it could not check on it. Ms. Shea opined that this was a hole in the system that she would like to see fixed.

Town Administrator Semmes noted that the staff could provide a list of all donations that were received. Councilmember Shea reported that she previously asked for such a list and was told it could not be done. She asked for an accounting of where the donations were from and what they were designated for.

**Chief of Police Panebianco** reminded Council that the last time he appeared before them, they asked about the number of congressman who were in Middleburg during the snow storm. He reported that Officer Fadely confirmed there were around seventy. Chief Panebianco noted that he received a letter of gratitude from the Capitol Police complimenting Officer Fadely on how she performed her duties. He advised that they were grateful for the Department's support and were impressed with the Town's snow removal efforts.

Chief Panebianco reminded Council that they tasked the staff with preparing a parking meter report and expressed hope to have it ready for the next work session. He advised that he hoped to have as much information as possible so the Council could determine what it wanted to do.

Chief Panebianco expressed appreciation to the Tennis Club for donating a used elliptical machine to the Police Department for use in their fitness room. He noted that they also donated a tread mill; however, they could not get it into the building and had to return it.

Chief Panebianco reported that he has been working with the Department of Criminal Justice Services and the Police Academy to get their training room certified and received that approval last week. He opined that this has changed the way they conducted their staff meetings and suggested they were more professional.

Mayor Davis noted that Terri Domanski offered to help design individual fitness programs for the officers. Chief Panebianco advised that he had her card; however, he had not yet contacted her.

Councilmember Shea noted that the Chief's monthly report showed some changes. She further noted that selective enforcement was down. Ms. Shea questioned whether those negative numbers were a reflection of the weather. Chief Panebianco confirmed that some was due to the weather and some

was due to construction. He explained that the Department was limited as to what it could do from the standpoint of working traffic detail in the construction area; therefore, they were not doing as much as they were previously. Chief Panebianco noted that foot patrols were down a little due to the weather. He opined that until October, there would continue to be a variation. Chief Panebianco advised that there were areas where they could do things and others where they could not.

Councilmember Snyder suggested this would provide an opportunity to increase patrols as the staff could man the neighborhoods, such as the Ridgeview Subdivision where there have been speeding issues.

Chief Panebianco confirmed the officers were assigned to go there to do traffic enforcement; however, he opined it was not productive. He suggested this may be because they were in a marked police car.

Councilmember Snyder offered his driveway for speed enforcement. Chief Panebianco advised Council that other people have done so as well. He reiterated his belief that the problem was that the police car stuck out. Chief Panebianco noted that this was good as it served as a deterrent to speeding vehicles.

Mayor Davis thanked the Police Department for the protection they provided, particularly during snow events.

**Action Items** (non-public hearing related)

**Council Approval** – Lease Amendment – Verizon

*Councilmember Snyder moved, seconded by Councilmember Hazard, that Council approve the Second Amendment to the Lease Agreement with Verizon Wireless to permit them to make modifications to its equipment at the Stonewall Court water tower. Councilmember Snyder further moved, seconded by Councilmember Hazard, that the Mayor be authorized to execute the lease amendment on the Town's behalf.*

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

No – N/A

Abstain: N/A

Absent: Councilmembers Kirk and Scheps

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

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**Council Approval** – Resolution of Appreciation – Christmas in Middleburg

*Councilmember Snyder moved, seconded by Councilmember Littleton, that Council adopt a Resolution of Appreciation for the volunteers, sponsors and donors associated with the 2015 Christmas in Middleburg event.*

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

No – N/A

Abstain: N/A

Absent: Councilmembers Kirk and Scheps

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

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Town Clerk North advised Council that she would have a copy of the resolution available for presentation to the Committee during the February work session.

## Discussion Items

### Parking Options for Route 50 Construction Project

Town Administrator Semmes advised Council that she and the Economic Development Coordinator met with Vicki Bendure, the Town's marketing consultant, in order to get her advice on how the Town could help businesses during the next phase of construction. She noted that she also wanted to know if Ms. Bendure could offer some ideas for marketing the vacant properties in town.

Economic Development Coordinator Pearson reported that Ms. Bendure indicated that people have told her that if they needed to run into a business to pick up a large item or large volume of items when the parking spaces were blocked, they would not do so. She explained that they cited the need to carry heavy items a long distance as an issue. Ms. Pearson suggested the Town consider creating fifteen minute parking spaces on the corner of side streets until the construction was complete. She noted that even if Madison Street was closed to through traffic, it would only be closed on one end.

Mayor Davis suggested the need for temporary hanging signage. She opined that a hanging sign was better as people have begun to attribute the meter bags with "no parking".

Councilmember Murdock questioned whether the temporary loading spaces would be on the side streets. Economic Development Coordinator Pearson confirmed they would be located where someone could easily walk. Councilmember Snyder noted that the Town could tell the merchants where they were located.

Councilmember Shea suggested the staff first contact the merchants to ask them their preferences. She noted that Wiley Wagg had a back porch; therefore, they would have no reason for this type of parking. Ms. Shea suggested the merchants may want to identify possible solutions before the Town advertised something would happen.

Town Administrator Semmes advised Council that the staff was working with the contractor on the notifications for the next phase of construction. She noted that this would include a visit to the business owners to ask about their delivery needs and how the Town could help accommodate their needs when a block was closed. Ms. Semmes advised Council that the staff would work with the businesses and the Police Chief to identify temporary spaces.

Councilmember Murdock opined that the two businesses that suffered the most were the coffee shops. She advised that she had heard people say "they could not go in because there was no parking".

Mayor Davis noted that this complaint applied to any business. Councilmember Murdock opined that these were quick turnover businesses. She noted that the Middleburg Common Grounds had their own parking lot.

Councilmember Shea opined that they did not and advised that they only had one assigned parking space for their entire staff. She reported that the other parking spaces were rented by other tenants. Ms. Shea suggested the Town approach the building's owner and ask him to temporarily give up the other parking spaces. She noted that eight of the parking spaces for the building were dedicated for another company.

Economic Development Coordinator Pearson suggested that another option would be to allow for free parking in both of the Town's public parking lots during the construction. Councilmember Shea opined that this would not help those near Liberty Street, as the parking lot was either completely empty or completely full.

Town Administrator Semmes suggested the Town offer free parking in general. Councilmember Murdock expressed concern about employees would who park in the spaces all day, leaving nothing for shoppers.

Town Administrator Semmes suggested the need for the staff to talk to the individual businesses to explain that the Town was considering doing this; however, it would not be successful if their employees parked there all day.

Councilmember Littleton suggested the free parking be limited to thirty minutes. Chief Panebianco opined that Councilmember Littleton was talking about customers who just needed to make a quick pick-up. He suggested that signage be installed on a temporary pole in the area of the temporary parking that would limit it to fifteen minute parking. Chief Panebianco noted that this would not look like a bag and agreed that people associated the bags with “no parking”. He suggested the need to purchase a different color bag for Christmas.

Town Administrator Semmes noted that those signs could be moved as the construction area moved.

Councilmember Hazard questioned how the Town would get the information out on those temporary parking spaces. He suggested a map be done that could be changed as needed. Mr. Hazard noted that if people had access to information, they would know where they could park.

Councilmember Snyder suggested the Council needed to worry less about shop owners using the spots and needed to do more to reduce the chaos.

Councilmember Hazard reiterated his suggestion for a map. He suggested the map not just be for the temporary fifteen minute spaces but that it be for all of the parking as some people didn't know where to park. Mr. Hazard recommended the information be put on the Town's website, sent out through an e-mail blast and distributed via Bendure Communications.

Town Administrator Semmes suggested the staff check on the use of the Hamilton Street parking lot. She opined that it was under-utilized.

Mayor Davis opined that local residents have figured out where to park. Councilmember Shea agreed; however, she noted that people who normally parked on Washington Street were now parking on Madison Street, meaning her customers could not get in.

Councilmember Murdock inquired as to the handicapped parking. Chief Panebianco reminded Council that motorists with a handicapped placard did not have to feed the meters. Town Administrator Semmes confirmed there were handicapped spaces in the public parking lots.

Economic Development Coordinator Pearson reminded Council that there was nothing that could be done to make this easy. She noted that the Methodist Church parking lot was only full when the food bank was open.

Mayor Davis agreed it would be a good gesture to offer free parking in the two public parking lots. Councilmember Shea agreed; however, she opined that it would not result in the gain of any spots. She suggested that people be asked during the Middleburg Business & Professional Association meeting if they could make special arrangements for pick-ups or whether they had additional parking they could make available for others' use.

Town Administrator Semmes summarized that the Council was okay allowing the staff to design some signage and work with the contractor to locate some fifteen minute parking spaces for quick pick-ups, with the locations being identified on maps for each phase of construction. She further summarized that they were okay offering free parking in the public lots for the duration of the construction project.

Councilmember Shea questioned whether this should be limited to the parking lots. Councilmember Snyder advised that he was okay opening them up since the Town was having a problem. He further advised that he was not worried about revenues. Mayor Davis and Councilmember Murdock expressed concern that the spaces would be used by employees who would park there for free all day long. Economic Development Coordinator Pearson suggested the Town try free parking in the parking lots first to see how that worked. Councilmember Snyder agreed and suggested the Town could do more if needed.

Town Administrator Semmes advised Council that she would ask the owners of private lots if they could make arrangements for other businesses' employees to park in their lots. Councilmember Hazard suggested the staff ask the owners to help by making sure their staff did not park in the spaces that would be made available. Town Administrator Semmes confirmed the staff would go around and ask them to do that.

Councilmember Snyder suggested the Town do this much and if more was needed, the Council could then discuss it. Councilmember Shea suggested the staff encourage the businesses to talk to each other about how they could help each other through the construction.

**Information Items**

Economic Development Coordinator Pearson reminded Council of the Winter Sale to be held February 12-14<sup>th</sup>.

Town Administrator Semmes reminded Council that they authorized improvements to the Town Office's crawl space and the addition of heating to the restrooms by Climatic. She further reminded them that, at that time, they asked about the thermostatically controlled power vent and whether it also had a humid static control. Ms. Semmes confirmed it had both and would cut off at forty degrees. She reported that Loudoun Valley Floors would return this weekend to finish the floor in her office.

There being no further business, Mayor Davis declared the meeting adjourned at 6:45 p.m.

APPROVED:

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Betsy A. Davis, MAYOR

ATTEST:

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Rhonda S. North, MMC, Town Clerk