

**PURCELLVILLE TOWN COUNCIL MEETING
TUESDAY, DECEMBER 8, 2020, 7:00 PM
VIRTUAL MEETING**

The meeting of the Purcellville Town Council convened at 7:00 PM virtually on GoTo Meeting.

COUNCIL MEMBERS PRESENT:

Kwasi Fraser, Mayor
Mary Jane Williams, Vice Mayor
Tip Stinnette, Council Member
Joel Grewe, Council Member
Ted Greenly, Council Member
Stan Milan, Council Member
Christopher Bertaut, Council Member

STAFF PRESENT:

Sally Hankins, Town Attorney
Hooper McCann, Director of Administration
Sharon Rauch, Director of Human Resources
Chief Cynthia McAlister, Police Dept.
Deputy Chief Dave Dailey, Police Dept.
Barry Dufek, Operations Lieutenant
Dale Lehnig, Director of Engineering, Planning & Development
Joshua Goff, Assets Management Coordinator
Elizabeth Krens, Director of Finance
Connie LeMarr, Assistant Director of Finance
Linda Jackson, Financial Analyst
Diana Hays, Town Clerk/Executive Assistant
Kimberly Bandy, Deputy Town Clerk

CALL TO ORDER:

Mayor Fraser called the meeting to order at 7:00 PM. The Pledge of Allegiance followed.

AGENDA AMENDMENTS/APPROVAL:

Council member Milan requested that Discussion item 14h Status of RFP for Nutrient Credits be moved to 14a. with no opposition.

PUBLIC HEARING(S)

- a. Proposed Amendment to FY21 Operating Budget to Appropriate Unspent VDOT Funding from Prior Fiscal Years

Mayor Fraser opened the public hearing at 7:03 PM. He stated the purpose for this hearing is to hear comments regarding a proposed amendment to the FY 2021 Operating Budget to appropriate an unspent balance of approximately \$434,922.26 in Virginia Department of Transportation funding as of 6/30/20 which exceeds 1% of FY21 budgeted expenditure.

Elizabeth Krens, Director of Finance, stated that there is currently an unspent balance of approximately \$435,000.00 in Virginia Department of Transportation funding as of 6/30/20. Budget rules require Council approval to appropriate the unspent funds so they can be utilized for VDOT approved expenses such as paving, sidewalks, drainage, and snow removal. The funds are allocated to

the Town annually by the Virginia Department of Transportation and may only be used for allowable Purcellville roadway expenditures. As this appropriation exceeds 1% of FY21 budgeted expenditures, a public hearing is required and this is essentially a housekeeping item.

There were no citizen or business comments.

Council member Stinnette confirmed with Ms. Krens that these funds are in restricted reserves therefore can only be used for highway dollars and needs to be re-appropriated so Public Works can spend it on other street related projects. Council member Milan questioned if areas to use these funds have already been identified. Dale Lehnig confirmed there is a Pavement Management plan and is being prioritized by need and these funds can also be used for VDOT roads with drainage, street signage, road related items, plowing, etc. Mayor Fraser confirmed with Ms. Krens that this is not local tax payer dollars, but money returned to the town from prior annual allotments by the state that were unspent and declared by the Weldon Cooper Highway Maintenance Survey done every year.

Mayor Fraser closed the public hearing at 7:08PM with no further comment or discussion from citizens or council.

CONSENT AGENDA

- a. Approval of Meeting Minutes - July 14, 2020
- b. Approval of Meeting Minutes - October 6, 2020 Special
- c. Approval of Meeting Minutes - October 13, 2020
- d. Approval of Meeting Minutes - October 21, 2020 Special
- e. Approval of Meeting Minutes - October 27, 2020 Special Meeting
- f. Approval of Meeting Minutes - October 27, 2020 Work Session

Council member Grewe made the motion that the Purcellville Town Council approve the Consent Agenda, item 7a-f, as presented in the December 8, 2020 Town Council Meeting agenda packet. Council member Greenly second the motion and carried 7-0.

Motion:	Council member Grewe
Second:	Council member Greenly
Carried:	7-0

Greenly:	Aye
Grewe:	Aye
Bertaut:	Aye
Stinnette:	Aye
Williams:	Aye
Milan:	Aye
Fraser:	Aye

CONSENT AGENDA (Approval of Minutes Prior to July 1, 2020)

- a. Approval of Meeting Minutes - January 15, 2020 Special Meeting
- b. Approval of Meeting Minutes - June 9, 2020

Council member Stinnette made a motion that the Purcellville Town Council approve the Consent Agenda, item 8a-b, as presented in the December 8, 2020 Town Council Meeting agenda packet. Council member Grewe second the motion and carried 7-0.

Motion: Council member Stinnette
Second: Council member Grewe
Carried: 7-0

Greenly: Aye
Grewe: Aye
Bertaut: Aye
Stinnette: Aye
Williams: Aye
Milan: Aye
Fraser: Aye

RECOGNITION

- a. Stephen Hood, VFW, presented the VFW Award Recognition to Joshua Calhoun.

PRESENTATION(S)

- a. **Debt Structuring and Credit Markets (David Rose, Davenport) *(Presentation on file at the Clerk's office)***

David Rose, Davenport, gave the presentation Utility Refunding/Restructuring Scenarios to Council with Kyle Lax, Davenport, in attendance. Mr. Rose stated that the Town of Purcellville has a Water & Sewer Utility Fund collectively the "Utility Enterprise" Funds. These funds have historically been self-supporting which means that users of the system have paid for the system, whether from current revenues or accumulated availability fees or new connection fees. He further stated that Stantec, the Town's Independent Utility Enterprise Rate Consultant, has projected that the Town's current level of Water and Sewer revenues are insufficient to cover projected expenditures according to its' September 28, 2020 report. Mr. Rose referenced the Town Council is pursuing a Grand Strategy for Purcellville. Some of the elements of this strategy include Sustainable Financial Instrument Position, Predictable Tax Demand on the Community, and Provision of Municipal Services Predicated on Ability to Financially Sustain. Mr. Rose shared that the Town had asked Davenport & Company as Financial Advisor to the Town, to develop options to consider that would allow the Town to Refund/Restructure the Town's existing Utility Enterprise Debt. Mr. Rose covered three initial scenarios for Council members to consider with details contained in the presentation and also explained the estimated impact on the Utility Enterprise Financial Sustainability. Mr. Rose stated that the take away for Council would be to see there will be a need of some sort of rate increases in the future which is just the reality of utility systems. Council raised the questions of excluding CIP amount, of the possibility of folding utility debt into a tax district, and of scenarios being over 6 years and take advantage of historically low interest rates possible net savings per citizen on an average. Mayor Fraser concluded the conversation stating with the respect of time that more questions would be sent to Mr. Rose offline.

- b. **FY20 Comprehensive Annual Financial Report (Megan Argenbright, CPA, Brown Edwards) *(Oral presentation is available online on the Town's website)*.**

Megan Argenbright stated that it was a successful audit process and discussed the CAFR summary which was shared with Council.

c. Promoting Purcellville (Hillary Coley, Discover Purcellville) (*Oral presentation is available online at the Town's website*)

Hillary Coley stated that Discover Purcellville is the organization behind the Annual Halloween Block party, painted benches, and Christmas Ornaments seen around town. The goal of Discover Purcellville is to promote Purcellville as a "Day-cation" site with the goal of increasing sales to storefronts and draw attention to the importance of tourism to the local economy. She requested that \$25,000 be added to the Economic Development Advisory Committee to help advertise the town and also to put EDAC to work for local businesses in changing the charter to reflect actual business members. Ms. Coley stated that it is difficult for retail/restaurant businesses to attend an evening EDAC meeting.

CITIZEN/BUSINESS COMMENTS

None

MAYOR AND COUNCIL COMMENTS

Council member Grewe stated he would echo the comments about to be shared by Council member Stinnette.

Council member Stinnette stated that there was an aggressive agenda before Council and at least 10 important topics with half of these topics requiring legal support and all require multi-departmental staff support during a public health emergency that challenges the familiar business norms. He commented the size of each Town department is less than the average number of full-time equivalent employees that it takes to run a supermarket in the United States. He added to this point that we expect the same 35 employees to take leave and do their regular day-to-day tasks in support of the community and the staff. He stated that forbearance would be needed when often Council demands generally exceed staff capacity.

Council member Greenly wanted to publically show gratitude towards all the support from colleagues, friends, and staff that he and his family received over the last several weeks.

Council member Milan commented that he wanted to share that the Planning Commission has come up with a series of steps for new construction and for by-right projects and working through a critical path in order to get a project passed and completed. He also stated that Planning Commission has before Council in this agenda, a resolution to pass regarding height restraints.

Council member Bertaut commented that he would like to introduce the phrase "focus on" and thanked staff for continued focus on many items that continue to come before Council and see movement on many items including the new cell tower and modeling.

Vice Mayor Williams stated that she dittoed previous council comments thanking staff and that to remember health and safety should be a top priority.

Mayor Fraser echoed all the words from Town Council and supported the closure of Town Hall to keep staff safe and healthy. He stated that without staff the town does not function.

ACTION ITEM(S)

- a. Approval of Proposed Amendment to FY21 Operating Budget to Appropriate Unspent VDOT Funding from Prior Fiscal Years**

Council member Stinnette made a motion that the Council suspend the rules to allow action on BA21-015 the same night as the public hearing. Council member Grewe second the motion.

Motion: Council member Stinnette
Second: Council member Grewe
Carried: 7-0

Greenly: Aye
Grewe: Aye
Bertaut: Aye
Stinnette: Aye
Williams: Aye
Milan: Aye
Fraser: Aye

Council member Stinnette made a motion that the Town Council approve BA21-015 in the amount of \$434,900.00, to appropriate unspent State/VDOT funding for approved Highway Maintenance expenses. Council member Grewe second the motion.

Motion: Council member Stinnette
Second: Council member Grewe
Carried: 7-0

Greenly: Aye
Grewe: Aye
Bertaut: Aye
Stinnette: Aye
Williams: Aye
Milan: Aye
Fraser: Aye

b. Utilities Support Services – Western Loudoun Recreation and Aquatic Center

Hooper McCann, Director of Administration, stated that before council was a draft letter that Mr. Mekarski proposed for the Western Loudoun Recreation Aquatic Center with regard to extending water and sewer services for Council to review as well as a Resolution. Ms. McCann stated that Mr. Mekarski had one question; might the Council possibly entertain negotiating in-town rates for this facility and or might there be interest in any discussion about potential annexation for this facility.

Council discusses primarily going to the table with possibly providing the water to this facility if logistically possible with overall benefits that would be provided to the town and then possibly discussing annexation.

Vice Mayor Williams made a motion that the Town Council approve Resolution 20-12-03 in support of a 20-acre recreation and aquatic center in western Loudoun and Purcellville's commitment to extend water and sewer service to the facility, provided it is logistically feasible, and authorize the Town Manager to forward the support letter and resolution to County administration Council member Grewe second the motion.

Motion: Vice Mayor Williams
Second: Council member Grewe
Carried: 7-0

Greenly: Aye
Grewe: Aye
Bertaut: Aye
Stinnette: Aye
Williams: Aye
Milan: Aye
Fraser: Aye

c. CARES Funding Update and Allocation of Remaining Funds

Council member Grewe made a motion that the Town Council authorize staff to submit the amended high level spending plan to the County of Loudoun, as identified with this staff report as Attachment 2, formally allocating any remaining Town of Purcellville CARES funds to the federally eligible Purcellville Police Department payroll expense, for the period of July 1 – December 30, 2020. Vice Mayor Williams second the motion.

Motion: Council member Grewe
Second: Vice Mayor Williams
Carried: 7-0

Greenly: Aye
Grewe: Aye
Bertaut: Aye
Stinnette: Aye
Williams: Aye
Milan: Aye
Fraser: Aye

d. Recommendation from the Planning Commission to Decrease the Maximum By-Right Height in the C-4 Zoning District

Sally Hankins, Town Attorney, introduced this item and shared that several members of the Planning Commission were online and Commissioner Ogelman shared information on his research with this subject matter.

Ms. Hankins stated since the adoption of the Comprehensive Plan on June 30th, the Planning Commission has commenced the large task of comprehensively amending the zoning ordinance so that the zoning ordinance can give effect to the vision that was laid out in the plan. The Planning Commission has developed a work plan for this task, which has them beginning with developing zoning regulations for the seven focus areas with prioritization of the focus areas. Ms. Hankins continued that a survey of the buildings that exist in the C4 Zoning district, downtown south, was done by the Planning Commission to ascertain what would be compatible and execute the vision of the Comprehensive Plan which was discussed at the Planning Commission meeting on December 3rd. She shared that there was a unanimous consensus of the Planning Commission that the existing height, the existing maximum heights allowed were out of scale with the existing development in that C4 area and because the Comprehensive Plan's vision of it, is to maintain the small town character of the town, the Planning Commission's recommendation is that the town

initiate a height as a zoning ordinance amendment to reduce the maximum height in the C4 zoning district, from what it currently is at 45 feet and 3 stories, down to 2 stories and 30 feet and with preserving an option for getting to the existing height of 45 feet and 3 stories through a special exception or special use permit process. The resolution was adopted and because this would entail commitment of some town resources, the Planning Commission seeks Town Council's concurrence and affirmation of that approach so that staff can begin working on it and be collectively coordinated. A discussion continued between Council members and Planning Commissioners.

Council member Greenly made comment to oppose this idea.

Council member Grewe stated that he would like a timeline established for this process with Commissioner Forbes stating that there was an email dated September 3rd at 3:11pm to the Planning Commission from Andy Conlon that listed properties vulnerable to development or redevelopment in a manner that is inconsistent with the town plans.

Council member Milan made a motion that Town Council direct staff to prepare a zoning ordinance amendment consistent with the amendments described in Planning Commission Resolution 20-12-01, which would, in part, reduce the maximum by-right height in the C-4 zoning district from three stories and 45 feet, to two stories and 30 feet. Council member Bertaut second the motion.

Council member Milan commented at the past Town Council meetings he had reported to Council on updates from Planning Commission meetings.

Council member Stinnette questioned if staff is able to align themselves with the timeline that Planning Commission recommends and he would also like a joint discussion with Planning Commission before a public hearing on this item.

Ms. Hankins stated that she would need to research more information and update Council at the first January meeting. She would deliver a draft of the ordinance and would be able to update Council at that time if they are ready or need more time.

Motion:	Council member Milan
Second:	Council member Bertaut
Carried:	5-2

Greenly:	No
Grewe:	No
Bertaut:	Aye
Stinnette:	Aye
Williams:	Aye
Milan:	Aye
Fraser:	Aye

DISCUSSION/INFORMATIONAL ITEMS (5 minutes per Council member)

a. Status of RFP for Nutrient Credits

Sally Hankins, Town Attorney, stated that an RFP has been posted and published today with already said interests that are in contact with the procurement officer. She stated that the posting is on the town bid board and also the State of Virginia Procurement website with a deadline response time of January 29, 2021.

b. Update on Access to and Training for Stantec Utility Model

Council had given staff direction at the Oct. 27, 2020 meeting to receive training from Stantec on the Excel-based utility rate model that did occur on Nov. 30, 2020 which included a user manual. The

training served its' purpose and staff expects to still need continued support from Stantec given the complexities of the model. The costs of the support could not be fully estimated until staff begins model input and management.

Council discussed two Stantec FAMS model options and cost:

- (1) Current Excel based model with various support options based on contractor service level (\$5,000 to \$25,000 per year). If this model is selected, staff recommends Option 2 for \$20,000 per year.
- (2) Online subscription based model for \$18,000 per year for 5 users. Staff recommends Council approve this option as the online model's efficiencies result in lower costs, price includes Stantec support to update and manage the model and ease of use.

Council approved the Stantec Online subscription based module and directed staff to complete the agreement and work with Stantec to develop the new online model. Staff will confirm with Stantec to see if Council can also use a shared user login to access the online model to test scenarios.

c. Pullen House Sale and/or Demolition Funding Budget Amendment (Item for review unless Council moves to Action)

Council decided to defer this item to the January 12, 2021 Town Council Meeting.

d. Water and Sewer Capital Improvement Financing Strategy of Low Interest USDA Funding, Possible Federal Stimulus Funding and the Use of a Traditional GO Bond or Revenue Bond; Adoption of Reimbursement Resolution

Council decided to defer this item to the December 16, 2020 Town Council Special Meeting Budget Work Session which will be covering Capital Improvement Projects.

e. Trails End LLC Project Appeal Update

Sally Hankins, Town Attorney, stated that the town received an appeal of the Board of Architectural Review's decision for a proposed building on Hatcher Avenue. She stated that all interested parties have been spoken to, and they are all agreeable in holding a hearing before Council in either late January or early February. She was looking for Council to provide guidance on when to hold the public hearing and have the time to properly prepare for the hearing as well as a staff report and to share the appeal package with the renderings at full scale and the material, and everything that was presented to the BAR on this project.

Council had a discussion with Ms. Hankins in regards to being given a sequential timeline of this entire project and she stated that she had done one, but had not shared it with Council. Council wanted to better understand the process and all the moving parts and scope of the project and its' appeal process. A side discussion was shared on Ms. Hankins workload and prioritizing that work. Council and Ms. Hankins had agreed upon a date to go forward at the second Town Council meeting of the January 26, 2021.

f. Status of New Cellular Tower

Mayor Fraser stated to defer this discussion to the first meeting of January. Sally Hankins stated that she and outside counsel would continue to try and arrange some kind of agreement as to terms on the new cell tower and report on the positives or negatives to decide on how to proceed. Also, she would be prepared to answer questions recently proposed and discuss the options. Ms. Hankins agreed to send a more detailed email of the negotiations to Council.

g. Digital Signage at the Wells Fargo Bank for Public Messaging

Mayor Fraser deferred this item until a Town Council meeting in 2021 and Council agreed.

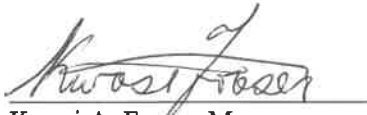
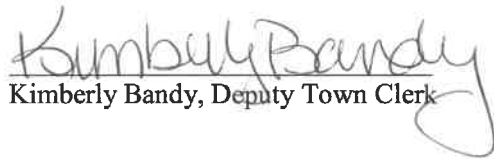
h. Cancellation of December 22, 2020 Work Session (Amended during meeting to be moved to the last agenda item)

Hooper McCann stated historically Town Council has forgone the second meeting in December and is open for thoughts. Mayor Fraser stated that he would be in favor of this, if the rest of this agenda be covered this evening. Sally Hankins suggested to move this item to the last item to be discussed before the end of the meeting.

With covering the items on the agenda, Council agreed to cancel the December 22, 2020 Town Council Meeting Work Session.

ADJOURNMENT

With no further business, Council member Milan made a motion to adjourn the meeting at 10:53PM. The motion was second by Council member Grewe and carried 7-0.


Kwasi A. Fraser, Mayor
Kimberly Bandy, Deputy Town Clerk

Mayor
Kwasi A. Fraser



Town Manager
David A. Mekarski

Council
Christopher Bertaut
Theodore Greenly
Joel D. Grewe
Stanley J. Milan, Sr.
Tip Stinnette
Mary Jane Williams

221 S. Nursery Avenue
Purcellville, VA 20132
(540) 338-7421
Fax: (540) 338-6205
www.purcellvilleva.gov

TOWN OF PURCELLVILLE
IN
LOUDOUN COUNTY, VIRGINIA

RESOLUTION NO. 20-12-03

PRESENTED: DECEMBER 8, 2020

ADOPTED: DECEMBER 8, 2020

A RESOLUTION: IN SUPPORT OF A 20-ACRE RECREATION AND AQUATIC CENTER IN WESTERN LOUDOUN AND PURCELLVILLE'S COMMITMENT TO EXTEND WATER AND SEWER SERVICE TO THE FACILITY, PROVIDED IT IS LOGISTICALLY FEASIBLE

WHEREAS, Purcellville is committed to partnering with Loudoun County to bring a greatly needed recreation and aquatic center to western Loudoun County; and

WHEREAS, On December 8, 2020, the Purcellville Town Council discussed, in an open session, and has expressed, by a majority vote, its willingness to extend water and sewer service for the County proposed western Loudoun recreation and aquatic center; and

WHEREAS, Purcellville is the home to five Loudoun County schools, including two high schools with swim teams; and

WHEREAS, Purcellville is the economic hub of western Loudoun County and is a AAA rated community; and

WHEREAS, Purcellville has been awarded the Water Treatment Plan Excellence Award for twelve consecutive years; and

A RESOLUTION:

IN SUPPORT OF A 20-ACRE RECREATION AND AQUATIC CENTER IN WESTERN LOUDOUN AND PURCELLVILLE'S COMMITMENT TO EXTEND WATER AND SEWER SERVICE TO THE FACILITY, PROVIDED IT IS LOGISTICALLY FEASIBLE

WHEREAS, Purcellville's state of the art Basham Simms Wastewater Treatment Plant is the largest in western Loudoun Count and has the supply and can support capacity for a recreation and aquatic center.

NOW, THEREFORE, BE IT RESOLVED that the Purcellville Town Council is in full support of a recreation and aquatic center in western Loudoun County and does hereby agree to support the County with this project, which could provide substantial qualitative and quantitative benefits for long-term sustainability interests of both the County and the Town.

PASSED THIS 8TH DAY OF DECEMBER, 2020.


Kwasi A. Fraser, Mayor

ATTEST:


Diana Hays, CMC, Town Clerk

