

**PURCELLVILLE TOWN COUNCIL MEETING
THURSDAY, JANUARY 23, 2020, 7:00 P.M.
TOWN HALL COUNCIL CHAMBERS**

The Special Meeting of the Purcellville Town Council convened at 7:00 P.M. in Council Chambers with the following in attendance:

PRESENT: Kwasi Fraser, Mayor

Tip Stinnette, Council member/Vice Mayor (late arrival 7:04pm)
Joel Grewe, Council member
Ryan Cool, Council member (late arrival 7:04pm)
Nedim Ogelman, Council member

ABSENT: Chris Bledsoe, Council member
Ted Greenly, Council member

STAFF: David Mekarski, Town Manager (late arrival 7:05pm)
Patrick Sullivan, Director of Community Development
Andrew Conlon, Senior Planner
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. Mayor Fraser stated that this is our Special Town Council Meeting. The Pledge of Allegiance followed.

Mayor Fraser stated that we do not have a quorum at this time. We have Council member Ogelman, Council member Grewe, and Mayor Fraser. We will start with Citizen and Business Comments. Council member Stinnette and Council member Cool arrived shortly after 7:00 PM.

CITIZEN/BUSINESS COMMENTS:

Mr. Casey Chapman stated that his address is 151 North Hatcher Avenue. He is representing Chapman Builders, LLC for the parcel that they own on Hirst Road. He stated looking at the future Land Use designating the property, "Professional Office," we would just like to state that we are not in favor of this in eliminating the C-1 Zoning District. By eliminating the C-1 Zoning District and this is from Article IV, Section 1 of the current Zoning Ordinance. He stated by right under C-1, we can do: "Accessory buildings and uses; Adult care center; Automated teller machine (ATM), Accessory; Brewery, winery, distillery; Bus shelter; Catering; Child care, commercial; Clinic, urgent care; Contractor's office/storage area; Eating establishment - less than or equal to 6,000 square feet; Financial institution; Fitness center; Fuel pump, accessory; Funeral home; Hotel; Laboratory; Nature preserve; Office; Park; Parking lot, public; Personal services establishment; Playground; Printing, publishing, and engraving; Public utility, minor; Radio or television station; Recreation facility, commercial indoor - less than 10,000 square feet; Retail sales, accessory; Retail sales, general; School, special instruction; School, technical; Sign shop; Special event; Studio; Temporary food truck/trailer; and Veterinary clinic." He stated that a number of these uses have more than just a benefit, and could have a benefit to a large group of people that the Town provides services to, but under the new Land Use designation of Professional Office, the list will go from 35 by right uses, and it's not including the SUPs down to a singular use of Office. For this reason, we are not in favor of this. Thank you for your time.

Council member Ogelman stated that he is curious. We have not as a Planning Commission, nor as Town Council discussed any Land Uses related to that designation and as we have discussed that designation, from his understanding, we were leaving it what it is. He is just curious where you are identifying the uses that will be available in the future, relative to the uses that are there now.

Mr. Chapman stated that the only place that he has to refer to the uses in the future is off this "Future Land Use Comparison Spreadsheet" that he believes everybody has here or should have. He stated where you list the uses that are usually covered under the zoning, you have check boxes.

Council member Ogelman stated thank you for pointing that out. His understanding was this was a discussion for all of these things about what would be conceptually part of this kind of thing. Is that Professional Office the adopted 2025 Plan? Are those all of the uses for the C-1 District? Is that what that is representing? What is that category?

Andy Conlon, Senior Planner, stated in that gray column in the version that is dated today, 1-23, which is the most recent, in earlier versions it was a lighter shade of gray, but the information in that single column remains the same. That is again, the adopted 2025 Comprehensive Plan. It's not associated with the Zoning District at all. It's nothing that we've discussed for the Plan Purcellville. It's simply lifted verbatim from the 2025 Plan.

Council member Ogelman stated these are the uses that were in the Land Use description that then resulted in the zoning description that is the C-1 District, for example. Mr. Mekarski stated that is correct.

Mr. Chapman stated that as you can see here, other uses where it says, "Retail, or Hotel." There are certain uses that are permitted. If what you are saying is true, why is that box not checked?

Council member Ogelman stated that he thinks, as he understands it, what this is doing is it is describing essentially what gets highlighted and called out in the Comprehensive Plan. Mr. Chapman stated and it is a singular use. Council member Ogelman stated that he doesn't understand. Mr. Chapman stated that it is a singular use. It is only being called out to be an office. Council member Ogelman inquired what is the C-1 District called. Mr. Chapman stated that he read you 35 items that are permitted under the C-1 District.

Council member Ogelman stated those are uses that are provided in zoning, as opposed to a description that is aspirational in the existing Comprehensive Plan. Mr. Chapman stated and your aspirations are going to not allow for Retail because it is not checked. You had the option to check the box.

Mr. Mekarski stated that's the existing Comprehensive Plan, not the one we are proposing. Council member Ogelman stated this is what it says in the Comprehensive Plan we have now that translates to the Zoning Uses that exist in C-1, Commercial.

Mr. Chapman stated so in the new adopted Plan, you are saying that Retail may be an option. You are saying that a 6,000 square foot restaurant will be an option under the Professional Office designation?

Council member Ogelman inquired are we going to talk about Zoning Uses? Mr. Chapman stated if you wouldn't have checked the "Office" box he would have understood that you are just talking about future Land Uses. But it got into zoning when you checked off a designation.

Council member Ogelman stated that we have said this during the discussion; none of these are reflecting the zoning. It's reflecting the concept that is going to appear in the Comprehensive Plan.

Mr. Chapman stated (*inaudible*). Council member Ogelman stated that he was just trying to clarify your clarification. Mr. Chapman stated that he was just trying to go off of the information that he has in front of him and that's all he can really do.

Ms. Nan Forbes stated that she lives at 341 West Main Street. She is not speaking as a member of the Planning Commission, but as a citizen of the Town. She wanted to speak more generically and generally as opposed to addressing specific plots. She drove back from Richmond. She has been in the car for two and a half hours and she has been thinking about just some general things. Ms. Forbes stated as you review the recommendations of the Planning Commission, and review the paperwork that has been put before you, she thinks it is really important to remember that you have a duty and responsibility to the Town as a whole, and not to individual citizens and landowners. It's comparable to a fiduciary responsibility and it needs to be kept in line because it is the standard of

review. If you don't look at things through that lens then errors can be made. In that regard, when you listen to people speak, you also need to take into consideration what the individual's bias may be. Because many of the remarks that are made and positions that are advocated for certain uses with regard to certain plots of land, she suspects that would include properties in Hirst East and also include very vocal voices that you hear with regard to East Main, and the area around the new traffic circle. Ms. Forbes stated that she thinks that it is really important to consider that again, if you look at it through the lens and the standard of review and do what is good for the Town as a whole, you need to be very careful to either discount, or weigh, or judge, taking into consideration that the profit interest of an individual owner and how they may want to maximize their dollars is not the standard of review that should be used by this Board. And many of the public comments that you hear, that appears to be the focus of many of the people who come before you. They have a specific interest in certain plots of land. And it is driven by their specific and individual personal gain. And it is not from the standpoint of what is going to be in the interest of the rest of the people in this Town now, or going into the future. Ms. Forbes stated that the other thought is that this is a Plan that is intended to provide some guidance for the next 10 or 20 years. The Statutes require that these Plans may be reviewed and updated. So, what's the hurry? She doesn't have the numbers in front of her. Take a look at what has been suggested with regard to opening up unplowed areas, if you will, as opposed to refurbishing areas that are already paved over. She doesn't know this number. What is the current occupancy rate for Commercial property in the Town now? How many unused buildings? How many unused areas are already in place? Why do we need to plow new ground? Why not focus on refurbishing what we already have? Why are we talking about developing a plan, or encouraging the growth, or the paving over of areas that are not now paved, which simply pushes development to the outskirts of Town. When she was coming up we use to call that "sprawl." She doesn't think that is something that we want to encourage. Why aren't we focusing on areas in the Town that need help like the inside of the Town, as opposed to pushing to our outskirts? Once it's paved over we can't reclaim it. What's the hurry? If we have to redo and re-look at this in another 10 or 20 years, look at it then. Ms. Forbes stated that the final point she would ask you to look at is to consider the comments of the citizens that come before you. I challenge you to make a list of people who are telling you that they want more traffic. That they want more paved over areas, that they want more shopping centers. She doesn't think you are going to see a lot of people doing that. We've got a lot of shopping centers already. Nobody tells you that they like to come to Purcellville because they think our shopping centers are so wonderful. That may sound basic and simplistic. But when you hear people yell and scream about what they like and what they don't like about Purcellville, you guys are going to have to be the ones to look at yourselves in the mirror and go, "Oh, yeah, I agreed to put in another super store or strip mall, or whatever." She stated when we already have stores and malls that are either largely empty, or are being used for things that aren't so wonderful, you know vape shops. We can do better than that. Thank you.

Council member Cool stated thank you for your comments. Your opening comments struck a thought that he had last night. He didn't say it last night, but he thought about it today. One of the gentlemen that spoke last night, Walt, the argument was that we are removing two individual's ability to make money on their property, their retirements. He thought the Town's government job isn't to insure your retirement. It's not my problem. But there has to be also other variables. Fairness, in terms of making sure their uses of the property is not completely devalued. He doesn't know what that is. The argument last night kind of bothered him. It bothered him in another way. It bothered him that a comment was made, "Do you want it to look like the dilapidated Brown property, the farm?" There was a negative statement against a century owned farm, as well as our responsibility to insure that individuals have retirement packages. He disagrees with all of that. Your statement aligns with what he was thinking today after what he heard last night. Thank you for those comments.

Mr. Stanley Milan stated that he lives at 232 East Skyline Drive in Old Dominion Housing Development. He was going to speak along the same lines as the speaker before him and Mr. Cool. He was taken aback by the comments that Walt made about the two individuals losing their so-called retirement income based on the sale of the land. Mr. Milan stated that he is retired. He is on a fixed income. He is sure that there are several other people in the community in the same situation. His taxes on his home increased. His mortgage increased starting in March by \$250.00. He is on a 30-year fixed mortgage. He is thinking what is causing it to go up. It's the taxes associated with the City and the

County that is causing his expenses to go up. He has been coming to the meetings for the past two-weeks. He has been to three or four meetings. He is catching up to speed on what has transpired in the past. It appears to him that the current Administration is trying to manage the decisions made by the prior Administration. And a lot of things that are

coming about are the people that own these two strips of property, Area 2, Area 3, and Area 5; want to capitalize off of that decision previously. The current Administration is trying to control it until now. Mr. Milan stated that he has been here 10 years. He has seen the growth. He moved here because when he comes home he doesn't have 20 people traveling through his neighborhood going to somewhere else. The area has grown like the previous speaker stated. There's a lot of current real estate that is unoccupied. He stated take for instance Dollar Tree. That has had three businesses in the past five-years. Food Lion, Shop 'n Save, now Dollar Tree. Mr. Milan stated there is a Sister City to the east, Hamilton. He stated the Sister City to the west is Round Hill. Round Hill wants to increase their population by 50%. Dollar Tree is in Purcellville. A similar business like that is Five Below. Those people don't need to go to Leesburg to go to Five Below they come to Purcellville to Dollar Tree, comparable business, increasing the traffic, increasing the burden on the taxpayers in the City. He looked at the previous reports from the newspapers and all this in the past. Again, it comes to the current Administration trying to manage the previous Administration's decisions. He went to the Town of Purcellville's Code of Ethics. He was looking at that and what governs these decisions that we make. There are some things that he pulled out just from reading it. It says, "Recognizing that persons who hold public office have been given a public trust and that the stewardship of such office demands the highest levels of ethical and moral conduct. Any person serving in an elected or appointed office in the Town of Purcellville shall adhere to the following Code of Ethics:" There are 17 of them. He noticed three or four of them that struck out to him in listening to what he has heard in these meetings. Number 7 says, "Ensure the integrity of the actions of the Mayor and Town Council by avoiding discrimination through the dispensing of special favors or unfair privileges to anyone." Again, special privileges to people with those Areas 2, 3, and 5. "Whether for remuneration or not. A member should never accept for himself or herself or for family members, favors or benefits under circumstances which might be construed by reasonable persons as influencing the performance of governmental duties. Make no private promises of any kind binding upon the duties of any office, because a public servant has no private word which can be binding on public duty." Mr. Milan stated that he heard something mentioned yesterday that the Administration determined a Land Use identification as Agricultural-Tourism-Commercial. She can sell her property to Commercial and we can get you there where you need to be. "Avoid a conflict of interest. A member should recuse himself or herself from participating in deliberations or voting on issues which render personal gain for himself or herself or for family members. Engage in no business with the Town of Purcellville government either directly or indirectly, which is inconsistent with the State and Local Government Conflict of Interest Act or the Public Procurement Act. Adhere to the principle that the public's business should be conducted in the public view by observing and following the letter and spirit of the Freedom of Information Act. No member may disclose or use confidential information without appropriate authorization. Confidential information includes discussions during executive or closed sessions and certain economic development information." Mr. Milan stated that we have a Press Release that we have not released to the public yet. Certain people had access to that yesterday. It gives them the ability to formulate a strategic plan and manipulating the decisions of the Board. He found that very disturbing when he witnesses something like that. Those are his concerns. The will of the people should govern the disbursement of the land, or how the Town grows. The man, Walt, yesterday made him feel like we were stealing from the Orphans and Widows Fund and we are not. We are looking at the outcome of the decisions that this Board makes from the overall people in the community. Once they make the sale to cut and run, then we are left in the wake of that decision with the higher taxes which he can't really sustain much longer because he is on a fixed income.

Mayor Fraser stated Mr. Milan, since we are on record, you made mention of a Press Release. What is that?

Mr. Milan stated the release last night. The public announcement for the land that has been (*inaudible*). Mayor Fraser inquired and the process was wrong. Mr. Milan stated he doesn't know.

Council member Stinnette stated what occurred was Sally, and Patrick, and the Community Development Department put together a Press Release and sent it to the newspapers. That's required in terms of Public Notice for the upcoming Public Hearing. So the assertion is, did we make that Press Release, extend that to anybody in the community, or is that just between the staff and the newspaper people?

Mr. Mekarski stated that it wasn't a Press Release. It was a Public Notice that was passed out yesterday at the meeting. Council member Stinnette stated so we made available to the community at the meeting what we submitted to the newspaper. Diana Hays, Town Clerk, confirmed. Mayor Fraser stated so it was made available to the community. Does that alleviate your concern, Mr. Milan? Mr. Milan stated yes. Council member Stinnette inquired

has this been posted to our website as well? Diana Hays stated that it gets posted the day that it gets published in the paper. Council member Stinnette stated that it's an artifact that was released at a Public Meeting. One would think it would be available along with the announcement of the meeting, and all the other artifacts.

Mayor Fraser stated that takes care of your concern. Mr. Milan stated yes. Mayor Fraser stated that he just wanted to make sure. And then something else you mentioned about Agricultural-Commercial. That someone said a promise was made. What's that about? Council member Stinnette stated that he believes that is about a discussion that occurred with Walt, me, and Council member Grewe. It was the point that Agricultural-Tourism-Commercial, if you look at what is proposed as options on Land Use, the only thing that it really runs against in terms of the Land Use for now is the residential development. There is a whole slew of checkmarks for Agricultural-Tourism-Commercial. Then the question fundamentally means does that prohibit me from doing what I want to do? The answer was no, because we've seen what you are proposing to do about a year and a half ago for the O'Toole property. We're not going to zone that property preemptively. You are going to come to us with a Development Plan. And then we are going to put together a zoning that supports that Development Plan that is consistent with our vision in terms of the Land Use. It goes to a point that he made two meetings ago, which is we all get wrapped around the axle on the labels without understanding the language of those below the labels. His whole point on that was that Patty was concerned with the label for what the new category language actually permits. That was the discussion. If he mischaracterized that let him know. That was the discussion we had with Walt yesterday.

Council member Grewe stated that the only thing he would add to that, and he doesn't want to put words in Walt's mouth, so he will speak carefully. He indicated that upon reflection, he thinks they were willing to compromise relative to their demands for less Commercial or what not, and assent to the Agricultural-Tourism-Commercial designation that we are drafting now. He thinks it was a lucky compromise. He thinks basically that is what was indicated.

Council member Cool stated that his bigger concern is this about the process. He texted Sally this question earlier just before the meeting because he didn't get an answer. He sat there in the corner, and occasionally he will walk over. He is not accusing of him. He is just making sure that we have this in the air for the record. He will lean over and he will talk to you and Council member Ogelman will be there. And Sally will sit here and say, "Don't talk." His understanding is there were three or four people talking. It's considered a meeting. It was a violation of rule of two. And in this Town, it's an interesting place. People will hear things. He stated Council member Grewe; you said that Walt said he was willing to compromise. You can get this. You can get that. That constitutes a meeting. And then can come back and say, "This is what we heard from Council." You didn't hear that from Council. You heard that from a meeting that was a violation of Rule of two. So, people can hear things at those meetings and construe those as said by Council. If we can't have conversations of three people during a meeting at a dais before the meeting starts, have to be very, very careful about having Land Use discussions with somebody who has had these open concerns clearly, that is a violation of the rule of two that we have to abide by. He stated that when he hears, "Compromise," and all that, that concerns him.

Mayor Fraser stated but it was two Council members, not three. Council member Stinnette stated that Council

member Greenly was in the vicinity, but he was not part of the discussion. The discussion was with Council member Grewe, me, and Walt.

Council member Grewe stated that's not a violation of Rule of 2. There can be people beyond Council in a meeting. Just no more than two Council members at a time or that is a Public Meeting.

Ms. Nan Forbes stated that she doesn't understand when she hears even a reference to a conversation with regard to Council and individual landowners who are talking about prospective uses of the property, talking about compromises, it sounds like a negotiation. She doesn't understand why that's a negotiation. It makes absolutely no sense at all. It's the antithesis of what it is that she understood this body was supposed to be doing. Frankly, it's appalling. You're not negotiating with people about how you are going to designate land for a Comprehensive Plan. That's an independent decision of this body based upon a body of evidence. But it's not a negotiation. Certainly it ought not to be.

Council member Grewe stated that he spoke to this last week. He thinks he used the word "compromise." We talked about this last week. One of the things that Council member Stinnette had mentioned is that he and I would share this; we have very low appetites for putting the Town in a position where we are engaged in another legal battle. So, if there is a way, Or through a process that you can respect the rights of the landowners because they do have them legally, and we can respect the will of the people, and we can get to a place where there can be an agreement, even if it's not perfect agreement, it's the ugly but successful and hard part of politics to get to a place where everyone goes it's not my favorite but it works in a way that everyone goes it's better than the alternatives. He stated not in the fact that there is some sort of deal being made on the table, or an offer, or exchange, or response. It's an attempt to balance the responsibilities of the Township as a whole, but also respect the rights of the individuals, because those exist. And we are obligated to limit when we start pushing into those because we can do that. As a legal body, we have the authority to tell someone yes or no to something. And that can take away their capacity to do, or can add to their capacity to do. And that can have real impact in different forms. So we have to balance those. He is of the position and he ran on this, and it hasn't changed at all, that when he is using government power on another, he tries to do it in the least restrictive way. If he can find a way to get us there it is a good thing.

Council member Ogelman stated first of all, if Council member Grewe is worried about legal issues, he would say having these kinds of meetings and promising things to people outside of the context of our formal responsibilities and roles is a more dangerous way to have that come about then those other concerns. Council member Ogelman stated secondly, this whole discussion about private property rights is completely fallacious to him. The reason is, those landowners property rights have not been violated in any way, shape, or form, whatsoever. They have homes that probably existed before there was zoning. They had uses that were prescribed under County law, because they were in the County. They were zoned such. Then they got brought into the Town. They wanted to come into the Town as he understands it. They came into the Town. They got up zoning. They got more uses by being in the Town, even under transition acts, than they had as R-3, or one house per three acres in the County. And now, we're talking about uses that would be compatible with what the citizens of our Town want, the Town that they wanted to join. And we're talking about them potentially having some additional uses, another up zoning. All that said, Council member Bledsoe, he's not here tonight, but he at one of our meetings said well there's this everything I would like to have kind of private right for zoning. And anything is a down zoning compared to that. Well, that's not the way it works. There is actual zoning for those properties. And it gets scaled up. But their private property rights are just that. They are not entitled to Commercial Zoning or anything else like that, unless that's the zoning that exists on their property. And short of that, every so often by State Mandate we come and discuss what our Town and our citizens want aspirationally to do with different parts of our Town. He would not really worry about any legal issues based on that. He would worry more about legal issues based on if people are making promises to any individuals that they cannot keep. Council member Ogelman stated in addition to that, if somebody chose to make an investment and had a strategy for how their property is going to come into the Town, and that's not what the rest of the citizens wanted to do, he respects their effort. But that's not the responsibility of the Town. The Town's responsibility is to do the greatest good for the greatest number. That's the Town's responsibility. And people come into Towns and live in Towns because they get good out of that, including these citizens that we're talking about that were annexed into the Town. They wanted that because they thought that their property, he thinks, would be more valuable within the Town than under one house per three acres zoning in the County.

Mayor Fraser stated we will close because we have a lot to do. Ms. Valerie just wanted to say for the record that she disagrees with his characterization of what he said. Because what he said to Mr. Walt was the land with some Agricultural-Tourism-Commercial, he said they are three separate uses. So now, Patty can go and advertise the property as Commercial. She did see Council member Greenly speaking as well. So, there were three people. She does have it on tape.

Council member Stinnette stated that's fine. He's not going to debate that. What he is going to tell you is that we had a straw vote on the Land Use characterization. That straw vote he thinks was two meetings ago. And the majority agreed to the Land Use of Agricultural-Tourism-Commercial. So there were no deals made, or proffers during that side bar discussion. He will tell you that yes, there were three. He certainly will apologize for allowing three when there should only have been two. If, in fact, he said that they were three separate categories of Land Use he was wrong. And he apologizes for being wrong. He did say, and he stands by this, that there is a dash between Agricultural-Tourism-and Commercial in the title of that Land Use. It doesn't all run together was the point that he

was making. But regardless of all that, the uses that are permitted under that categorization have not changed since we conducted the straw vote, nor will they change, unless “we,” as a Council decide to change those. We agreed to, and we voted in, a definition for that Land Use. He stated what Walt was asking for was okay, “What does this mean?” And so he was trying to explain to Walt what it meant. He gets the optics of that. And he stands corrected for allowing that to occur between three and one in the side bar. It should be between two and one. And to be completely honest with you, that discussion probably should not have occurred at the end of our Work Session. He will stipulate to that. He doesn’t think that there is anything nefarious there other than a breach of protocol.

Council member Grewe stated just to echo what Council member Stinnette said, he does recall that Council member Greenly was sitting there. He’s not here tonight. And he did forget that. I apologize. He will say that there was no promise of any kind, never was, never will be. He has spoken to Council about this before. In fact, to some great affect at certain points. None of us can buy the Council. Nothing we say. Nothing we do. And frankly, we can’t promise anything on behalf of and he did not. But he would reject any assertion to the contrary, and would continue to hold it out that as not something that we do, and shouldn’t be something that we do.

Council member Grewe stated that the more community buy-in that we have for the Plan the better. And particularly if you can make an enemy a friend its better, and when you get people that would normally be antagonistic to it that come around and say, “No, actually I can go with that Plan,” we’ve done something better as a community as a whole. He thinks that was largely the motivational background behind it of any kind. He understands Council member Ogelman’s perspective on Land Use, and private property rights, and all the rest of it. He disagrees philosophically. We’ve had that discussion. We don’t need to have it again. That’s fine. We each come to this as Council with different points of view, and different backgrounds, different philosophies. And, hopefully, the way our process works when that’s done we get a better outcome that’s more holistically representative of the people we serve. When it doesn’t happen, we vote and one side loses and that’s what it is. And that’s how the elected process works. And that’s not a bad thing. He does apologize for the appearance of violating anything as far as two or three, or whatever that was. That was not intentional. He doesn’t recall any comments on Council member Greenly’s part. He is sure there probably was since he was sitting there, and that shouldn’t have occurred, and he hadn’t been aware of it. So, for that you have his sincere apologies. He stated for the other, none of those insinuations are frankly anything to be concerned about because they didn’t happen.

Mayor Fraser stated he guesses he doesn’t have to miss meetings now. It seems that things happen when he misses meetings.

Council member Ogelman stated that he thinks there is one other aspect of this that he thinks is important to talk about. He wants to go on record as saying, and he thinks this is why it is important that we have these conversations all together. He views this Agricultural-Tourism-Commercial; he doesn’t see those dashes in there the same way. He sees the dashes in there as dashes that are fusing together a concept. And moreover, he just doesn’t want to go through that title, but he wants to see what the definition of that category says. And the category to him in no ambiguous terms says this category is a transition from Rural Agricultural and large lot residential. It defines the Gateway in the Town. Land Use categories should blend. “Office, Rental, Cultural, Agricultural, Institutional, and Tourism-oriented uses. They should reflect the Agricultural heritage of the Town. They should include uses that support Tourism and related to the Town’s farming heritage. So, these don’t sound to him like you could separate out the Commercial part and just work with that. This is a combination by definition to him. Otherwise, he wouldn’t have voted for it. He does think that this matters. And another thing, extend the spirit of Crooked Run Orchard to the parcels within the East End Focus Area and serve as a meaningful Gateway into the East End of Town. This is the thing that Walt directly said that won’t do. We don’t want this connection to this farm. There’s not a way to make everybody win. If those property owners really wanted to pursue these Land Uses, the ones that they want, they need to come in and after the Comp Plan is done, if it’s not what they want, they have every right to go and ask for a Comprehensive Plan Amendment, and a Zoning Use Amendment. Those happen through Public Hearings, public discussion and deliberation, and votes in the publicly elected and appointed bodies. That’s what they need to do if that’s what they want.

Mayor Fraser stated that he thinks we need to address this all now since we brought it up.

Council member Stinnette stated that he thinks it is helpful to understand that the Planning Commission came up with that Land Use of Agriculture. It was more constraining than what we are proposing right now. His point last night, and his point tonight, and his point two nights ago, is he can literally drive a truck through all the uses and the language we have under Agricultural-Tourism-Commercial as it is right now today. The fact of the matter is, when the Applicant, whoever it is, comes before the Town and okay, "I've got a development here. It's consistent with your Comprehensive Plan. Then we are going to have to sit down and have that zoning discussion for that particular area that is actually going to kind of constrain what we have written here. He stated because what we have written here, and this is the point he has been trying to make all along, is pretty broad. There is a lot of flexibility in that language. Certainly, a lot more flexibility in that language than was initially proposed by the Planning Commission. And he will tell you that staff purposely designed that language and put the x's in there by trying to merge a couple of categories together. That was the point that he was trying to make last night to Walt. That's the point that he has been trying to make to Patty. He has been making it in public forum. Everybody shouldn't be worried about this. We're discussing the label and the word "Agricultural" in there. When you actually read the language that's below the label, it's pretty permissive. He is not saying that one is better than the other. All he is doing is pointing out the obvious. And it is obvious that this is a pretty permissive Land Use as we had defined it. And it will become constrained once an Application is proffered and comes before this Board, and the Planning Commission to actually put zoning to these lots of land.

Mayor Fraser thanked everyone for the comments. Mr. Mekarski stated that he wanted to elaborate on what Council member Stinnette indicated. In the rewrite of the Zoning Ordinance, we will take this guide, recognizing that it is really a Special Gateway of the Town, and not only will we provide higher clarity, and guidance, and restrictions, but we'll have some special overlays on that requiring some special Site Plan approval, and not relegated to simply uses by right. So, there will be a lot of discretion by the Planning Commission to work with the Applicant, and meet the spirit and the intent of this element. But it's not going to go to the office and give the Building Permit without any kind of review by the Planning Commission and the Council. Mayor Fraser thanked Mr. Mekarski. He stated a question to you David, since you brought this up. The statement that was presented to the public, that first paragraph describing this category which is Agricultural-Tourism-Commercial. Do you see the spirit and intent to be anything outside of Agricultural? Do you see that someone could put a Commercial facility in that area that has nothing to do with Agriculture? He will ask the same question to Council member Stinnette, because we need to clarify that.

Mr. Mekarski stated that they could put a limited Commercial Use, or limited Tourism related support use. We even specify it would support a small scale Hotel, a Bed and Breakfast. But it's not just any small scale Hotel or Bed and Breakfast. It really has to fit the form, and fit the Town of Purcellville, recognizing it's a Gateway. You are not going to be able to put personal service facilities downstairs, or a doctor's office, or a medical office, or an attorney, or a tax office. If there is going to be activity downstairs like a restaurant, we are going to be encouraging one that features farm to table kind of food. If there is going to be a Retail, it has to have very interactive activities that might spill out to the street. All of that is going to be really crafted in the Zoning Ordinance. It's not going to have in his vision, uses by right that you can walk in to the Zoning Administrator and pull a Permit and just put a fast-food restaurant. That's not in character to this. It won't be in character to the Zoning Ordinance. He stated to keep in mind that this is not a regulatory tool. The Zoning Ordinance is a regulatory tool. This gives a chance for this Council, the future Councils ahead of us, and the Planning Commissions to guide a new Zoning District for this, and a Site Plan Review procedure. So, it involves the public and the Planning Commission at a very high level.

Mayor Fraser inquired of Council member Stinnette the same question. He stated that what you are saying to him is it will still have the Agriculture theme and aspiration in whatever is built there. Mr. Mekarski stated correct. Mayor Fraser stated so someone wouldn't be able to put a Rite Aid there. Mr. Mekarski stated correct. Mayor Fraser stated because the spirit of that District is for Agriculture-Commercial. Mr. Mekarski stated and to celebrate the heritage of this and really be a Gateway. He stated when folks come to visit Purcellville that it stands out in terms of architecturally looking like the homes that we are proud of, quaint, and small town, pre-automobile kind of feel to it. Not only will there be a high level of Site Plan Review on it, there is going to be a high level of Board of Architectural Review on any applications we would have in any of these Gateways. We can do that with specifications and performance standards in the new Zoning District and our overlays that call out for special review. Mayor Fraser thanked Mr. Mekarski.

Council member Stinnette stated that he will take it to the operative language. There are two sentences that are operative. The first one is the last sentence of the first paragraph. "This Land Use category blends a Residential component together with: 1. Office; 2. Retail; 3. Cultural; 4. Agricultural; Viticultural 5. Institutional; 6. Or Tourism Uses. Personal services are discouraged." That's one operative sentence. The second operative sentence here is: "The design of the structures within this Land Use category should reflect the Agricultural Heritage of the Town." So, those two sentences are the operative language of that Land Use. Everything that David said is true if we get to building the District overlay that goes with this Land Use, and we build the zone. But that follows the Comprehensive Plan. So, right now, you got the design itself, but you don't really know what it is going to look like until you put the overlay on top of it with the Zoning Ordinance. Those are the two pieces that are missing. That's why this is subject to a lot of interpretation. Mayor Fraser stated thank you, Council member Stinnette and David.

Mayor Fraser stated what he would submit to you all, so there is no ambiguity in this; remove these hyphens, because for this to get his support, it needs to be clear that Agriculture needs to come out. Clearly, you stated it, David. And to a degree you stated it also with those two operative sentences. So, even by saying, "blend," a Residential component, they're talking about if you were to tie this to the first sentence, right, that Residential component is not a high rise apartment. It has to do with Agriculture. What you typically see on a farm or somewhere, which could be an inn with 10 beds and so on. That's how he interprets this. So, someone can't just look at this and say, "Okay. Agriculture. What am I going to do to meet that requirement? Okay. Forget Agriculture. Oh, Tourism. What am I going to do to meet that requirement? Oh, Commercial. Forget Agriculture, Tourism." This is now Commercial. We don't want that ambiguity. Mr. Mekarski stated that the district would be elaborated.

Council member Stinnette stated to just let him respond to that and then he yields. He thinks this language needs to be tighter, because he thinks it is the majority of the Council that has this vision. The nice thing is your vision in spirit is clear, but it is not represented in the words that describe that category. He agrees taking out the dashes is important. He doesn't know how we set that label up to communicate this. Maybe you go Agriculture Tourism, Agriculture Commercial, or maybe you just go Agricultural Tourism/Commercial something like that. There is any number of ways you can punctuate that label to better import this. He guarantees you if he puts this in front of 10 people, he is pretty much going to come away with 10 different visions until he gets to a District overlay and the supporting zoning. All he is doing is trying to make a statement of what is the language right now. He stated to be quite honest with you, he thinks that language is what got us to a majority, and he thinks it represents a good compromise. It's not what the Planning Commission proposed. The Planning Commission proposed something that was a lot more constraining, that was going to be a lot more problematic and could be inferred as a table potentially at some point down the road. He thinks this is an improvement. He thinks the language is in the eye of the beholder.

Mayor Fraser stated that certain things have to be sufficiently vague, but he thinks we need to get rid of these hyphens to make sure that this is one in the same.

Council member Ogelman stated when we had this straw poll he supported it. He supported it because he didn't think it was vague. He didn't think it was vague based on the sentence is different from the ones that you focused on as the operational ones. There would be a very easy fix to that second sentence that would address what the Mayor was just saying on this issue. "This Land Use category blends" instead of "A Residential component," that it "blends a Rural/Agricultural/Viticultural." Or a Rural/Agricultural, or a Viticultural component together with, and then put the other uses after that. That would actually be consistent with what's in the rest of this document, which is to say, the primary defining component of this transitional district is that it has a transitional value to what's on the immediate outside. And that would be a very simple vision aspiration change that he thinks would not allow you to drive a truck through the middle of it. Because if you are able to drive a truck through it in the middle right now, it's because there's a sentence in the middle of it that doesn't have anything to do with any of the rest of it. So, let's change that sentence.

Mayor Fraser stated repeat the language. Council member Ogelman stated "This Land Use category blends a Rural/Agricultural/Viticultural component," or just a Rural/Agricultural component. You could just say that. A Rural/Agricultural component together with a Residential, Office, Retail, Cultural. Council member Stinnette stated that he doesn't know that he would put the Residential piece in there. He would just say, "This Land Use category blends the Rural/Agricultural with Office, Retail, Cultural, Institutional, Tourism-oriented uses." He doesn't know

what you need the Residential component in there. He does kind of, because of the adjacent property to the east, but that's outside of our jurisdiction. He is being honest with you. So, he doesn't know why we keep going back to the Residential in this language when we all admit there is no Residential component to that at all. He can certainly look at that language and say, "Oh, okay, I can do all these things."

Council member Ogelman stated but there are houses there now. Mr. Mekarski stated that it's not for Residential like above the Retail or the museum. Council member Ogelman stated that there shouldn't be much of an above or below option because we took out this vertically and horizontally. So, there shouldn't be any.

Mr. Mekarski stated yeah, you took out that sentence. But you did leave it at two-stories. Council member Ogelman stated that he didn't leave it at anything. There is nothing saying "two-stories" in here.

Mayor Fraser stated yes, one of the uses is saying, "not more than two-stories." Council member Ogelman stated that this goes to this other thing that Mr. Chapman was talking about and this is true. We are using these concepts to try to understand what it is we are talking about. That's all that these are. These are not uses. We were trying to understand what it is that we are doing.

Mayor Fraser stated yes, to visualize the dream. Council member Ogelman stated that to him he feels like he is compromising in this issue, and he needs these other things to be able to compromise on this issue is he doesn't want there to be Office and Retail Uses there. That doesn't make any sense to him. But if that is going to be something that is going to be there, then it should be tied to the Rural and Agricultural idea.

Mayor Fraser stated so let's do this then. Mr. Mekarski stated that he has the change.

Council member Grewe stated we are retreading ground that we've done. He acknowledges. But considering the escalating level of contention that this particular piece has, would it be possible to put a pin in this and come back to it when we have the entire Council? He feels that this might be the lynch pin as far as if this gets adopted. He thinks getting as much buy-in by all the members for discussion, might be the best way of ensuring when this is done we are adopting a Plan versus having the Plan fail which he knows we are all trying to avoid. He is recognizing that both Council member Bledsoe and Council member Greenly had thoughts on this, and they both can't be here for reasons. The maximum buy-in is probably important or we are going to have to rehash this a fourth time.

Mayor Fraser stated that we are a quorum. We have five of us. So, if we can give you direction right now, David, and then, of course, we will have that discussion. Because we can't vote on this. It is all straw poll right now. He stated what happened yesterday has escalated this to another level. That's why we are here where we are. That's why he feels compelled for us to at least put something in the sand. We are doing a straw poll. And then when Council member Bledsoe and other folks are here to make that ultimate vote we will have that discussion.

Council member Stinnette inquired so alternatively, you have already taken this language and put it into the advertisement, correct? He stated they have it with the dashes. So, if we change this, we have to change the ad. Mr. Mekarski stated no. He thinks your better approach would be taking Council member Grewe's suggestion; advertise what was the straw vote that you had, keeping the language as is. You hold the Public Hearing. You come back to it and you make the amendments.

Council member Ogelman stated that he doesn't like that idea. Mr. Mekarski stated that we won't have the time to redo that. Council member Ogelman stated whatever is in the ad, is in the ad. Is there something that says that we can't continue to deliberate? Does that ad put it in abeyance somehow? Why are we having this meeting?

Mr. Mekarski stated no. What the ad is to do is to give the public a general idea of what sort of parameters or the opportunities, both the constraints and the opportunities of the proposed Land Use category. If you are increasing the opportunities in the categories, it probably wouldn't have any impact. If you are going to start changing the verbiage to make it more restrictive, then someone would argue, "I was happy with it two days ago, but now it's more restrictive."

Council member Ogelman stated we do not have to hold any kind of a vote that he is aware of that is formalized here. He stated that he doesn't agree with any of that logic. He is okay with leaving Agriculture-Tourism-Commercial. We are having a discussion and refining a definition.

Council member Stinnette stated that the definition is in the ad where we would make the proposed change. He agrees with the proposed change. It would substantively change the ad. There are a couple of ways to do this. One would be to pull the ads and kick the can on the Public Hearing. Another would be to proceed with the ad, proceed with the language that we've got right here. Have a Public Hearing, and then based on that Public Hearing, and our discussion this evening, make a change after the Public Hearing to refine the language here. And that's perfectly fine process wise for us to vote on it and adopt. It's a little bit of a bait and switch if we advertise one thing and we put out a Comprehensive Plan Version 7 with a different definition for Agricultural-Tourism-Commercial. That's what we are going to put out in the sub-screen for the public. After we get done here, Staff is going to work with the consultant.

Council member Ogelman inquired is this already out. Council member Stinnette stated that this advertisement with the category, and the hyphens, and the definition that we want to change. Mr. Mekarski stated it will be in the paper tomorrow. Council member Ogelman stated that he would rather pull it back. Council member Grewe stated that it was too late. Council member Ogelman stated that he is not going to be forced into something he doesn't agree with. Mr. Mekarski stated that it isn't forcing the Council to do anything. You have all kinds of opportunities to change the language after the Public Hearing. Council member Ogelman stated no, no, no. I could also try to change it now.

Mayor Fraser stated so let's play this out. If you were to pull the ad tomorrow, what's the impact? Mr. Mekarski stated we have to send this back to the Planning Commission and get them to essentially certify another 90-day period. We then have to set a new Public Hearing with a new date and post a new ad. What was the cost of this ad?

Diana Hays stated close to \$2,500.00. Council member Stinnette stated that he is not entirely sure that you can pull it right now. Mr. Mekarski stated no, it is going to be in the papers. They won't even be able to cross it out.

Council member Ogelman inquired why would it have to go back to the Planning Commission. Did you send it back to the Planning Commission when we came up with this definition and category? Mr. Mekarski stated no. Mayor Fraser stated tomorrow is a critical date, right? If you miss that critical date the next one is a week, and that would make us not meet the 90-days. Mr. Mekarski stated that is correct. *(inaudible)*

Council member Stinnette stated let's not inflate the 90-day thing with what we are discussing right now. He stated sending it back to get it re-certified by the Planning Commission; he would love for Sally to push the noodle. If we bust the 90-days as a Council, what happens? That's happened before in the Commonwealth. He doesn't think anything bad happens. We acknowledge we busted the 90-days. That makes a whole lot more sense though to bust the 90-days, acknowledge we busted the 90-days, and continue moving forward. He takes the 90-day argument and just puts it off to the side. So, the operative point before us right now, and to be completely honest with you, this ad is going to be published. So then we would tell the paper to discontinue publishing it so it wouldn't show up in next week's version, or we would publish a new version next week that would have the adjusted language, and it would just slip the Public Hearing one week or something like that which is entirely fine to do that. He doesn't see us falling off the edge of the earth if we were to do that. He thinks we need to take a straw poll on how we want to proceed.

Mayor Fraser inquired with that said, how many of you folks here tonight, there's five of us, agree with the change in that sentence. He stated just by a raise of hands. *(Council member Grewe did not raise his hand.)* So, now the straw poll is direction. We can't stop the ad from running tomorrow. But we can tell the paper not to run it any farther until we implement those changes.

Council member Stinnette stated we can do that. Mr. Mekarski stated correct. There will be a new cost, another \$2,500.00. You can accomplish your legislative objectives just as easily after the Public Hearing and save the taxpayer's dollars. Mayor Fraser stated who is in agreement with that? We save the taxpayers \$2,500.00 and deal with this, knowing that all four of us out of five are on record in supporting that change, and we'll do that during the Public Hearing. Council member Stinnette stated make the change after the Public Hearing. *(Council seem to all agree.)*

Mayor Fraser stated that he knows this took a while, but it is better to deal with this now than later. He stated that he thinks we have covered it. Council member Stinnette stated that we just need to make sure that we bring Council member Bledsoe and Council member Greenly up on where we landed this evening on this discussion. Mayor Fraser stated we will.

Council member Ogelman stated just for the record to be perfectly clear, we're not having this discussion to alienate them at all. They're just not here tonight and we needed to have this discussion. It's part of the organic process. He doesn't see any problem with revisiting this as much as we need to, to get it right. Council member Stinnette stated that he agrees.

Mr. Mekarski stated he wants to get it into the record; we are taking out the dashes in the title between "Agricultural and Tourism" and between "Tourism and Commercial." And in the third line we are crossing out the "Residential component," and it is going to say, "This Land Use category blends a Rural Agricultural component." And we're not reinserting "Residential." It's going to go with "Office, Retail, Cultural, Agriculture, Viticulture, Institutional, Tourism- oriented uses." And then in the third paragraph, which was the change that was made earlier by the Council. We are taking out the Land Use category that accommodates vertical and horizontal Mixed Uses.

Council member Ogelman inquired you all didn't take that out when you sent it. Council member Stinnette stated that wasn't part of the ad. Mr. Mekarski stated that we don't write the whole ad up there. We only do like the first paragraph, general description.

Mayor Fraser stated that's good. He stated that he had a citizen comment. Muka Benjamin. You said Purcellville Bike and Skate Park. Is that tied to the Comprehensive Plan? This discussion focuses on the Comprehensive Plan. Council member Stinnette stated yeah, it is.

Mr. Muka Benjamin Nyamuhindu stated that his address is 22038 St. Louis Road, Middleburg, Virginia. The idea of a bike and skate park has been running around since about 2011. There's a high school group of kids that brought it up and they created a Facebook Project which garnered about 200 votes on it. There was a process in which that was being pushed forward. But whatever happened, happened, and it wasn't able to be accomplished. And recently again, in 2016 he believes, it was brought up again. This time we have land. It's near Telegraph Spring's. It's about six acres. There is land proposed for it. He doesn't want to go through all the numbers right now. He only has five minutes. There are estimates of how much it will cost. There are three different processes. The first process is looking at the land, measuring the land, and seeing what needs to be done. There's an idea of building one for the youth or under the age of 12 and under. He stated and then one for adults. We will make sure we are including the younger kids and the older kids, but make sure there is room and that the older kids understand where their place is, and the younger kids understand where they are able to go where they might not get hurt and they have lesser size jumps and lesser size things to do to practice and to learn from. There is also the process which has brought that forward. There are price estimates. There are ideas of how to raise money. The ideas that we have so far is we could use Purcellville companies that we could advertise their companies on the land like Coach's Corner. We could advertise there. We could advertise on bill boards. That could raise money. We could get donations from construction companies for the cement and whatever we may use; we could get donations in order to advertise for them as well. So there are ways and there are more ways we can talk about as a community to see how to lessen the cost as much as possible and be efficient at building this.

Mr. Muka Benjamin Nyamuhindu stated there was also another idea. In 2018 he came up and he brought it up again. He had the idea and communicated it with the Mayor around 2015, 2016. His little sisters were doing another project and through them and their friends they did this. He was helping her and she showed him the idea. This clearly shows that different generations of Purcellville people who have not communicated or gotten together at all. He didn't even know about the first idea. We've had three different generations of kids who think this is a great idea for us to build this. And this is something that will not benefit him. It will benefit his little sisters. If he is still here in Purcellville 30-years from now, his kids could benefit from this. This is something that gives the whole town an opportunity to have a place where "we," as the community can go there. He has a teacher, Mr. Lindenberg skates. He was talking to him. This is something that he as an adult could also benefit from the idea of going out and having fun again. That's his presentation. He stated if we want to talk about numbers and everything the estimates are all done. He didn't do them. He doesn't know who came up with the plan. It was emailed to him. He can email it to anyone who needs to have the

exact numbers and everything. He would just love to accomplish this as a community to finally have this done, so that five-years from now we don't have to revisit this again with a different group of kids who still have the same idea, and the same willingness to have this in their community. Thank you.

Mayor Fraser stated this was the idea that was floated to Parks and Rec, right? Council member Cool stated yes. He can forward it to us. We can forward it to Parks and Rec. They can put the plan together in terms of costs and see those numbers. They work with them and they bring it to us. That's their role to bring that to us, and for us to assess it and see if we can support it and who pays.

Council member Ogelman stated there are people on the Economic Development Advisory Committee who are trying to think about family-oriented ways to stimulate the local economy. Maybe you would be willing to come and speak to EDAC. Mr. Muka Benjamin Nyamuhindu absolutely. Anything that he can do. Anything at all. He would love to be given the opportunity to see this through. Council member Ogelman stated that he will get together with him to give him the dates. Mr. Muka Benjamin Nyamuhindu stated for sure. Mayor Fraser stated thank you. Mayor Fraser inquired of Vice Mayor Stinnette whether this is stated in the Comprehensive Plan as a goal, a vision. He thought that he saw it. Council member Stinnette stated that it's in the Comprehensive Plan. You get to "Housing and Neighborhoods, Cultural Resources and Transportation and Mobility." And then there's the "Bike, and Pedestrian and Equestrian Trail recommendations." The Skate Park is not explicitly recommended in any of those. There is certainly enough room in the existing language to put a Skate Park in there. He thinks that it would probably be most appropriate in the "Transportation and Mobility" section under "Bike, Pedestrian and Equestrian Trail recommendations." That's on Page 90.

Mayor Fraser inquired whether or not we have a straw poll vote to insert language about a Skate Park on Page 90. Council members Cool, Ogelman and Stinnette raised their hands. Mayor Fraser stated that we have four. Council member Stinnette stated Andy, David, let's add Recommendation Number 9, and that is explore options for a Skate Park for youth activities. Council member Ogelman stated that he thinks where Council member Stinnette is saying to place it is a good idea. The last thing he remembers, and Council member Cool can correct him. He was speaking with someone from Parks and Rec and he thinks one hurdle that came up in trying to look at this was for the property where they were talking about doing it next to the Wastewater Treatment Plant; they were having a difficult time figuring out how to have safe access for kids into that property. If it is in the part of our Comprehensive Plan that focuses on Transportation and things like that, maybe that would allow us to address those sorts of right-of-way access issues too.

Council member Stinnette stated that according to the Bike and Pedestrian Plan Map, there is access to that area. Its bicycle recommendations. If we realize the recommendations of the Plan, then you have the access point. Then it is just a matter of taking Item Number 9 and doing it. Mayor Fraser stated that makes sense.

Council member Grewe stated before we get into specifics on where and how this works, David, he knows that you are aware that there is another facility on the grounds, a house next to the Wastewater Treatment Plant. We talked about that earlier this summer if you recall. He stated that David is aware of a somewhat delicate matter related to that. We want to make sure that as we look for the placement for this that we make sure we are not going to trip into two different contrasting problems in traffic. He is trying to be discreet relative to the issues of that particular house.

Mr. Mekarski stated that the Council did request the County to examine the possibility of purchasing that property next to Dillon's Woods. The gentleman that owns our hardware store, the Nichols property, that's a possibility. Plus, we have that other house on the opposite side of the Tabernacle. That could be another location for that as well.

Mayor Fraser stated but in the Plan we will put in the name. We will not put in the location. Council member Grewe stated that all he can say is put it in and see if we can find a place for it. Let's be careful where we put it. There are some practical considerations we have to be careful of.

Mayor Fraser stated are we clear on that, Andrew? Put it in, but don't put the specific site.

Council member Cool stated that the issues in the past were access and there had to be studies of the land to see what could be done with the land in terms of if they have to drill down and do some environmental studies on the land as

well. He believes that was a cost that needed to be done. The access along 20th is quite dangerous. There wasn't enough room to put a sidewalk. The other access was to come through Hirst Farm, and then "I don't want you coming through my yard to go to a Bike Park." There was a series of events. It is important. He thinks there are other properties. You might do something in Telegraph Springs. It's a totally different property. Those are just some of the past discussions.

DISCUSSION/INFORMATIONAL ITEMS:

a. Plan Purcellville Comprehensive Plan, Version 6.0-Review of Council Matrix

Mayor Fraser stated good. We have 30-minutes. He promised everyone that we will be out of here by nine. So, we will do as much as we can. Where did we end off yesterday? Council member Stinnette stated that he would recommend to David and Staff that what we do at this point is we kind of review the extracts that you provided us. He thinks that will absorb the remainder of our time this evening. Mr. Mekarski stated to Council member Stinnette, that to the assignments that you handed out to Staff, he just wanted to mention that Sally Hankins, our Town Attorney was planning to be here. She's working on two assignments on the proffer and another item. She has a very sick child that prevents her from coming tonight. She said that she would be happy to report on this at our next Work Session which would be Monday, or she could report on her assignments on Tuesday. Mayor Fraser stated okay, thank you.

Council member Stinnette stated we are on Page 75 and Page 76 in the Plan. We kind of tripped over this section because David started talking about the cost of water and sewer services. This was kind of drafted from Council about two and a half years ago. It has since evolved. We asked Scott to look at basically updating the language on Page 75 and Page 76. So, if you go to Page 75, the second paragraph, David, he thinks that you guys wanted to amend the last sentence to read: "The Town's efforts to-date have made significant reductions in in-flow and infiltration." And then you wanted to add, "Which strains both capacity and the cost of sanitary service." Mr. Mekarski stated that is correct. A lot of people may not be familiar with what in-flow and infiltration does to a sewage system. He thinks it better defines it.

Council member Stinnette stated that he doesn't think anybody has a problem with that. He thinks the next paragraph we were going to replace. The replaced language basically goes this way. "The cost of water and sewer services has risen notably over the last 20-years. The costs are primarily associated with debt service payments, associated with the Basham Simms Wastewater Treatment Plant, and the Capital Improvements which are necessary to maintain and upgrade our public water distribution system. The community concerns around utility services are primarily focused on insuring that the high quality service delivery which Purcellville is noted for continues keeping the costs of these services as low as possible. While Purcellville's demographics do not afford significant opportunities to receive Federal Grants to offset utility rates, the Town must vigorously pursue opportunities to ensure that the cost of these services are controlled through instituting effective management practices which improve both the efficiency and effectiveness of our operations. In addition, the Administration is implementing a Risk Assessment Process to prioritize Capital Improvements, thereby reducing overall expenditures within the given 10-year planning cycle. The Town is currently exploring the sale of environmental credits such as Nutrient Credits on the Aberdeen property to monetize this asset, thereby reducing water rate dependency to finance this utility. The cost of service analysis report for potable water reduction and sanitary sewer treatment has been completed. The Town is now evaluating changes in our utility rate structure to achieve the Town Strategic Plan initiative identified under the Future Tier I Design and Implemented Strategy that will permit Purcellville's Utility Program to function as a self-supporting, enterprising Town."

Council member Stinnette stated that he read through that real quickly before we started the session here. He doesn't have any problems with staff's rework on the language. He defers to the rest of Council.

Council member Grewe stated that he only has one thought. Since the Town's Strategic Plan rotates on a two-year basis, and this Plan will last for a 10 to 20-year cycle based on previous history, we tie it to the Future Tier 1 Design and implemented strategy, et cetera, et cetera, may be relatively shortsighted relative to the lifespan of the plan we are

attaching it to. He would suggest trimming that out just for the sake of keeping the document relevant longer. He thinks it is quite suited to say the goal. He wouldn't tie it to the exact quoted language, evaluating changes in rate structure.

Council member Stinnette stated that you could just end it after fund the future. He doesn't think we are going to change the four fundamental categories. The different Tiers may change. He thinks the recommendation is to drop Tier 1. Council member Grewe stated that is his only thought. It just makes it a little shorter. Mayor Fraser asked David if we are good. Mr. Mekarski stated absolutely.

Council member Stinnette stated if you go to Page 76 of the Plan, this is a Council member Ogelman go do and he thinks it was a good go do. If you look at the category, "Services and Facilities.", it goes to the bigger point that you add something like a house with density. You get the initial rush of the tap fee, but you basically are mortgaging your future in terms of support. He stated what Council member Ogelman was getting at, and correct me if I am wrong, Council member Ogelman, there is an impact cost to be determined when we consider and build development, or any kind of development in the Town. So, what he wanted was language that expressed that. What is being proposed is: "For any given project, proposed development, or policy change, the Town shall require a Fiscal Impact Analysis that reasonably and objectively identifies all associated life cycle governmental costs and revenues, including primary, secondary, and (*inaudible*) costs and revenues. This analysis shall evaluate the impacts on Town services including transportation, water, wastewater, storm water, public safety, solid waste collection, Parks and Recs, and any other Town services. In addition to the assessment of the fiscal impact on the Town, the analysis shall also evaluate the impacts on County services, including: Transportation, Education, Law Enforcement, Library, Parks and Rec, Fire Protection, EMS, and any other County services. In addition to requiring a Fiscal Impact Analysis, the Town shall require a Public Facility Impact Analysis that reasonably and objectively identifies: 1. The existing capacity for all public facilities; 2. The residential and commercial population threshold for each public facility beyond which the public facility can no longer adequately serve the public health, safety, and welfare; 3. The impact of the proposed development on each public facility; and 4. The prorated share of money, land, or other that a proposed development must contribute to mitigate its impact on each of the facilities."

Council member Stinnette stated that it's a long bullet, but it kind of goes to a point that you made that we spent some time on last night, Mayor. It was the big data analytics wanting to kind of put a wedge in there. We are already doing a portion of that. This is actually operationalizing that concept of big data analytics in the Impact Analysis to the Town. He supports the language as written by staff.

Council member Grewe stated that he commends David on this. It's good. He thinks it captures what was expressed last night. He thinks we would be in agreement this is a good thing. The only thing that he tripped over when he looked at it earlier and when Council member Stinnette was reading it, is that last sentence in the first paragraph, "In addition to the assessment of the fiscal impact on the Town, the analysis shall also evaluate the impacts on County services ..." He doesn't dispute that those should be weighed. He is not sure it is within our capacity to weigh them. Some of that data is something that we are going to have to pull out of the County. He wouldn't want to say that we are waiting for a response on something that they don't have to give us for an assessment that we are trying to do. He thinks that we should at least know the impacts on the County. He is not sure that we are in a position where we can actually properly measure the impact of something relative to the holistic impact of our County services. He stated that we may be slightly out of our lane. It's a good thing to measure. He doesn't dispute that. He is not sure we can successfully do it.

Mr. Mekarski stated that this goes to the situation that the Council was advising him on looking at not just the Transportation System for the Town, but the Regional Transportation System, because it's the Regional elements that ultimately impact the Town residents. And what we would do to implement this, we would setup a Fiscal Impact Ordinance. We would write in there if you ever receive a development proposal, or an annexation, or a major change in policy, if it's associated with a development, it would be written in the Ordinance that the developer would have to conduct this analysis setting up an escrow. We want that developer to look at not only Purcellville itself, but outside of Purcellville because we have County services, Parks and Recreational Services, School Services, Sheriff Services that could be impacted and there might be opportunities in whatever kind of proffer we are doing to mitigate both ours and some regional ones that ultimately will have an impact on Purcellville. He stated in particular, transportation.

Council member Grewe stated that he agrees with that. One of the concerns he remembers when we had that discussion with the County, which he believes voted down the idea, or chose not to partner with us in that Regional Transportation Study they just said, "You go do it. It's not our issue." That's a political (*inaudible*) we have to fix. At the same time, as much as that can be done, there are also limits to what can feasibly be done in a study like that without participation of the County. He stated yes, we can have an independent group do that and not having that be done by the developer. He thinks that money should be set in an escrow account and someone else can do that. He thinks those are all excellent principles. We don't want to have the developer paying for a Traffic Study which will always ensure that traffic will come in the way that the developer wants it to look like. There is obviously a conflict of interest there. He is just concerned that some of the scoping of this, as well intentioned as it is, might be rather unfeasible in the views of the comprehensive way that he thinks we are seeking. He thinks it's a good desire. He is just not sure if putting this in here if we can actually get that far.

Council member Stinnette stated so maybe instead of the word "evaluate," we use the word "consider." Council member Grewe stated sure. Council member Stinnette stated "The analysis shall also consider the impacts on ...". Council member Grewe stated he is fine with that. Mayor Fraser stated that makes sense because in this small Town we have five schools.

Mr. Mekarski stated and just one editorial, that first paragraph was put together with his planning understanding of a Fiscal Impact Analysis. The second paragraph, Sally discovered through an Attorney General's opinion, and this is taken right from the Attorney General's opinion, indicating that any Town's Comprehensive Plan that this element is required. It is an element that we are obligated to do. He stated just like we are doing an Affordable Housing Plan in the future. We are obligated to do this kind of analysis for public facilities.

Council member Ogelman stated that he is happy with this. He is happy with the change to "consider" instead of "evaluate." This definitely responds to what he is concerned about and interested in. He would like to hear from the Mayor if this responds to what you were saying about leveraging big data. He understood that a little bit different. He understood that to be let's just find efficient ways to gather and curate information. We already have to look for efficiencies. So, hopefully have data managed in a way that allows you to identify opportunities and exploit efficiencies that are available through analysis and data that you just don't see it when you are just running through the everyday business of government.

Mayor Fraser stated it is two-fold. He thinks this part deals with a risk going beyond the (*inaudible*) to see what is there to identify the risk. The other part that this does not address is the opportunity. He stated using the data so we can be able to pull money in and revenues in. But he thinks this is all about analysis, this section.

Council member Stinnette stated that it involves analytics. Mr. Mekarski stated that he thinks that the first paragraph of the 11 bullets, and now 12, sort of constrains what you are doing here. It says, "The following are recommendations to consider all Land Use and development decisions to help the Town continue to provide exceptional levels of service and public facilities." We covered both aspects. It's really sort of an objective and development review. It's a guide. The Planning Commission and the Council should always do these.

Mayor Fraser stated yes, because you are looking at costs, and revenues, and all that stuff. Council member Ogelman stated that he is good. Mr. Sullivan addressed Mr. Mayor, just an editorial comment on that last one. If we're adding a bullet, it would be bullet 15. Council member Stinnette stated that's correct. He stated that what's next is Sally Hankins is researching the concept of proffer statements. We make kind of an oblique reference to proffers in the Plan. When we made that as a Planning Commission, we did that with the new Proffer Law in mind. We asked Sally to double-check the language to make sure that we aren't getting ourselves into any legal binds with respect to the new Proffer Law. Mayor Fraser inquired that will just be inserted into the content. Council member Stinnette stated that she will just come back and say the language is good, or we need to make this change.

Council member Stinnette stated next is the Plan Purcellville Executive Summary. If you go to the first page of the Comprehensive Plan where we have acknowledgements, he basically recommended that we take the acknowledgements out and put it in the back of the Plan. He stated Council member Ogelman's recommendation was that we put an Executive Summary in its place. The Executive Summary is principally drawn from the language that is contained on Pages 5 to 22 of the Comprehensive Plan. It is kind of a rehash. The idea is that you can read the

Executive Summary. When you are done reading that one page you say, "I know what this Plan does from a macro perspective. I know how it's organized. I can choose to review it in total or review it in pieces and parts." That's the design of this.

Council member Stinnette stated that the first paragraph that they have done here is to try and capture "A beloved place that retains its attractive small town historic agrarian attributes." That comes right out of our vision statement. The next sentence in the first paragraph is what's the context of Purcellville within Loudoun County? That's a context statement. The second paragraph basically says okay, this Plan replaces the 2025 Comprehensive Plan. It updates it. It replaces it. It refines the vision based on community input. It has been adopted by the Council after receiving recommendations from the Planning Commission. The third paragraph basically starts talking about the purpose of this document is to establish a vision for the Town. The goals of the Plan to shape and protect Land Uses in existing developments, new developments, retail developments, and redevelopments that complement Purcellville's small town charm. That becomes the operative thing there. The last paragraph gets to how the Plan is laid out and how it is constructed, and what the essential elements are. It lays out the essential elements from *(inaudible)* history, introduction, Land Use, Comp Plan elements, and implementation. It gives a brief primer on each section. That is kind of the whole of the Executive Summary. He inquired of Council member Ogelman whether or not this is close to what you were looking for.

Council member Ogelman stated that he thinks that this is good. Someone can look at this and know where they need to go and what they need to look at. He only read through the first three paragraphs, but the one place he would like to add something is "... redevelopment that compliment and sustain Purcellville's small town charm."

Council member Stinnette stated that is the fourth line of the third paragraph, "complement and sustain Purcellville's small town charm." Mayor Fraser inquired whether or not there were any contentions with that. Mr. Mekarski stated that's good.

Council member Stinnette stated that what's next is we completed through Page 13 of the comment matrix. We were going through and reviewing all the yellow blocks. We got all the way up through Page 13. We were going to start on Page 14 with the yellow comments and start working our way through to the yellow comments. The first 13 pages are in the can and done.

Council member Grewe stated one thing before we get off the list of go do's from last night's meeting, one of the things that he got handed with Andy Conlon to go hunt through the Architecture Guidelines. We did that. We got feedback from Dan and Pat on the BAR. However, just to make sure that it is not lost and to recognize that work is done, since Council member Bledsoe was the one initiating several of the questions, instead of reporting that tonight he would rather postpone that to Monday when he is back so he can hear what their thoughts were and then ask any questions.

Council member Stinnette stated that the question when we got to the architecture section was did we include the inputs from various Committees, Commissions, and Boards. The answer was inasmuch as we got the inputs we adopted them. It's a good call. Let's just go back and re-verify and there's nothing missing that those Committees, Commissions, and Boards wanted.

Council member Stinnette asked everybody to go to Page 14, line 165. It's on Page 59 of the Comprehensive Plan. It is Mayor's input. The question is, "Will the proposed Land Use category three allow for an outdoor go-cart path? He stated that staff answered that "Allowing specific uses is the function of the Zoning Ordinance." He stated with that in mind, is there some language that you want to put in there specifically, Kwasi?

Council member Stinnette stated that we changed that Land Use from Commercial Mixed Use Scale to Industrial Government. That's the plot of land right across from the Volunteer Fire Department. Mayor Fraser stated so it is now Industrial Business. It doesn't have a go-cart. Council member Stinnette stated probably not. But if you want to write it in there you could write it into the zoning. Mayor Fraser stated that's too much specifics.

Council member Stinnette stated now we are on line 166. It was submitted by Heather Ross. It is also on Page 59. She said that Hirst East Focus Area should be designated as Office and not High Density Housing. We have complied with

that by making it Industrial Business. He doesn't think that the staff comment is valid anymore in light of the fact that we made it Industrial Business.

Council member Stinnette stated moving on down to 170. This one was made by Council member Grewe. It's on Page 61. Do you want to walk us through the Area 1, second bullet? This might be a redline version here. It's the third bullet is really what you are talking about. "Considering a parking structure in the interior of the redevelopment on the north side of Main Street to accommodate multi use buildings without reliance on surface parking."

Council member Grewe stated that we had a discussion earlier that we weren't particularly thrilled with the idea of underground parking. We were also talking about trying to keep this in the small town format. He gets the conceptual piece of that. He cannot conceive of a small town with a parking garage. Honestly, this feels a lot more like Fairfax. He understands the idea here on scale. He honestly felt this was out of line with the concept of small town we are trying to pursue here. He understands the practical considerations of it. He understands the reason for it. It just seemed off to him. Council member Stinnette stated let me tell you what the Planning Commission's thinking was on this. In the development of Area 1, what we wanted to do was push the buildings to the front and develop that way. If you are going to do that then you have to acknowledge that you are going to need some parking. We didn't say parking garage. We did say parking structure in the interior of the redevelopment on the North side of Main Street to accommodate multi use buildings without reliance on surface parking. The Planning Commission went around and around on this. It's not a go do. It is just to consider. It was to try and get the cars out of sight so you don't get the parking kind of lay down that you see out by the new Dollar Store. Council member Grewe stated that he can totally behind. In his mind the only parking structure he could see was like Hot Wheel style, elevator-based cars in a parking garage. Council member Stinnette stated that alternatively you can say, "Consider parking in the interior of the redevelopment on the North side of Main Street to accommodate multi use buildings." Council member Grewe stated that might work. You could also have an attachment (*inaudible*). It's not just purely a parking garage. He would go with that compromise. Council member Stinnette stated that we were thinking outside of the box. Council member Grewe stated that he appreciates that very much. Mr. Mekarski inquired if you could restate the change. Council member Stinnette stated that it is, "Consider parking in the interior of the redevelopment on the North side of Main Street to accommodate multi use buildings." Council member Grewe stated great. Council member Ogelman stated he thinks that is good.

Council member Stinnette stated we are now on line 171. This is Mayor. This is Page 61. What does the last bullet under Area 2 mean? The last bullet under Area 2 was "Remove any vehicle access onto 32nd Street." So, basically what we were saying is if you redevelop that we don't want to put another cut onto 32nd Street and exacerbate the traffic there which is problematic to begin with. That was the reason for that language there.

Mayor Fraser inquired which is to consolidate Main Street access. Council member Stinnette stated that's the second bullet. You said the last bullet. He stated right now, if you go there to the 7-Eleven, on 7-Eleven parking there is a cut into 32nd Street so 7-Eleven can either go out onto Main Street, or it can go onto 32nd Street. He stated what we are saying is we don't want a cut onto 32nd Street. Mayor Fraser stated so they just have to go to Main Street to get out. Council member Stinnette stated yes. The reason we did that was we recognize that artery where it hits Main Street is problematic. He can talk to this first-hand. We did not want to exacerbate that.

Council member Ogelman stated that he agrees. He knows we talked about this many times. When he looks at this, he is pretty sure that area is Mixed Use Neighborhood Scale. It looks like it could be Commercial Median Scale.

Council member Stinnette stated that the coloration on this has to do with the printer that staff used. The product that we get from the consultant, the color delineation is clear. We are now on 172, Page 63. The question is, "Who will be paying for the list of improvements and why?" He stated if you look at the recommendations there, the idea here on these recommendations was to focus on aspirational. If a property owner is going to do redevelopment in this area, then we'd like them to pay attention to these recommendations. The point of fact, the person that pays for this is the property owner when they go through the redevelopment. It's not the community (*inaudible*). That's the answer to your question there. Although, staff says, "Only someone accountable in the function of the Zoning Ordinance. This can be addressed at the zoning phase which is a true statement."

Mayor Fraser inquired is every answer from staff go back to zoning. Council Stinnette stated it is in large part. You are absolutely right. They are all going to say, yes, you are going to get the specificity that you want when you get to the Zoning Board. The question that we have to consider as a Council is if we have things that we want to be particularly specific on in the Comprehensive Plan, okay we can be specific. It's not like you can't be specific. It is a two-edge sword as we've previously discussed. The more specific you are here the less latitude you have downstream in the process. Other than the philosophical question that we have here on who pays for this, the applicant pays for it in terms of redevelopment. Mayor Fraser stated we don't have to state that here because they will go through the process. Council member Stinnette stated right. Council member Cool stated that the word "aspirational" in this context we are all good.

Council member Stinnette stated that was part of the Planning Commission how much of this stuff do we just want to acknowledge it exists? And then how much of this stuff do we want to blow up potentially and start with a clean sheet? A lot of that debate went on with the Planning Commission to be completely honest with you. He doesn't know that we resolved it one way or the other. We just cut it down the middle so to speak in many cases.

Council member Ogelman stated that he will say on this specificity versus generality and leaving things up to the Zoning Ordinance, his experience on the Planning Commission with the existing Comprehensive Plan, and he stated this before, it was so broad across so many issues that it provided from his perspective relatively little guidance for building consensus on the Planning Commission or in the community. So, if someone said well it helps with sustaining the character of the Town you could find that in there. If it said, you need to develop massive things with no zoning you could sort of find that in there too. He stated learning from that, and learning from the experience of working with you on the Planning Commission, he thinks that calibrating a little bit more towards the specificity is beneficial to our community.

Council member Stinnette stated that he agrees with him. He would tell you that the Planning Commission agreed in large part with you on that one, if not entirely. If you bang our Comprehensive Plan up against any of the other municipalities in northern Virginia, you will find that this one is rather specific and actionable in the way it approaches it. He thinks that we did what your intent was. The question that Council has to deliberate on is it enough for Council. In some places it will be and in some places it won't. Mayor Fraser stated yes, but as he is looking at this it seems like it would be awkward to insert who is going to be paying for it. And he agrees with that. Council member Stinnette stated even when you start looking at our ideas on the Twigs area and the Dollar Store area, if you ever redevelop that we want to take the stores from the back and move them up to the front. Who is going to blow up that strip mall? He stated 10-years from now that's probably going to exist. How aspirational do you want to be? That's kind of what we were trying to negotiate as a team. He stated no action on line 172.

Council member Stinnette stated moving on down to line 173, which is Page 65 of the Comprehensive Plan. It says, "Remove under the building parking from the (*inaudible*) area. He thinks we already did that, but he may be wrong. So, staff says, "Given the overall lack of parking." He gets the overall lack of parking. He thinks it is the underground piece that Mayor was having a problem with.

Mayor Fraser stated yes, when he hears underground parking here in Purcellville, he might be wrong, but he thinks dynamite to blow up so you can dig a hole so you can have underground parking. Then we have a Historic District. He did not understand on how to create underground parking in Purcellville. Maybe there is a way to do it.

Council member Stinnette stated that we didn't really get into the ways on that one. You could alternatively go, "Locate parking behind the buildings fronting on 21st Street." And just remove and "under the building." Mayor Fraser stated okay.

Council member Stinnette stated we are now on line 174. It is Page 66. We already did that one. We agreed to a picture. We are on line 175 on Page 67 of the Comprehensive Plan. This was submitted by Council member Bledsoe. Why would the two shopping centers at the end of Maple be classified differently? The shops at Main and Maple and then Purcellville Center at Blue Ridge Station. "The PC wanted the Purcellville Shopping Center to be broken into small buildings if it is ever redeveloped" was the staff's response. Mayor Fraser inquired and Council member

Bledsoe is okay with that. Council member Stinnette stated that Council member Bledsoe is not here, but he can come up on the (*inaudible*) if he is concerned about that one.

Council member Ogelman inquired was that one in six? Is that what it was? Council member Stinnette stated that he thinks it was. Council member Ogelman stated that he thinks addressing the staff's comment about the Planning Commission; we changed that to Mixed Use Neighborhood Scale. Council member Stinnette stated we did change that. He's just getting to the classification of the two shopping centers. Council member Ogelman stated that he thinks once we have reclassified that the staff comment makes sense in that context. Council member Stinnette stated you are right. He stated that Council member Ogelman just reminded him of something. Guys, when we change the language for Agricultural Tourism Commercial, we need to go to that section in the Plan and look at the area recommendations and tune those up to be in accord with the new definition. Do you understand what I am saying? Mr. Mekarski stated yes. We were thinking about that earlier today. Council member Stinnette stated that we will get to that here shortly. He will remind you when we get to that.

Council member Stinnette stated that we are on Sheet 15 now. We are on line 186. This is on Page 71. He stated before we get to that, go to Page 70 in the Comp Plan. We have recommendations for Area 2, and recommendations for Area 3, and recommendations for Area 4. You just need to make sure that those recommendations comport with the new definition for Agricultural Tourism Commercial. Mr. Mekarski confirmed.

Council member Stinnette stated now we will just flip over one page to Page 71. This is Council member Ogelman's point on topical elements. Basically, he is suggesting that they appear in the order reflected in the public input. Council member Ogelman stated that we discussed this yesterday. Council member Stinnette stated yes, we did. Let me just catch Mayor up on that. You made the same remark that Council member Ogelman did. It's basically why don't we go with open spaces first. It's not here, but you might recall that you said, "The community is more interested in open spaces. So let's talk about open spaces first. And then let's get to Mixed Neighborhood Scale and all the other Land Uses." Staff is kind of pushing back because that would be a fairly significant re-format of the Plan. So then Council member Ogelman said, "Well, why did the Planning Commission order it the way it ordered it?" He stated to be honest with you; he doesn't think the Planning Commission did it by Commission. He will tell you the convenient rationale for the way it was ordering was to talk about where you live first. You would go with residential first. The happy compromise that we had was let's just acknowledge why we did that in the Plan. So, we came up with this language to do that. That is what informs your input here. We could change this section here if you wanted to, to go with environmental resources, historical resources, because it starts with economic development services, facilities, and that's the order. We could do it the other way around. That would take a little bit more work on the part of the consultant. It's manipulating electrons. He stated for staff, in talking with the consultant, if this isn't something that is going to cost us like a gazillion dollars to do, can we re-order this the way the Mayor is recommending? Patrick Sullivan, Director of Community Development and Zoning, stated we can ask about it. There is quite a bit to re-format in that and move the pages and everything else around. Mayor Fraser stated that you won't have to move the pages. Council member Stinnette stated no, you won't. Council member Ogelman stated unlike what we were talking about before which was the body of the document, this is a coherent, 10-page section of the document. Council member Stinnette stated so you can move the pages around. The problem that staff is pointing out is if you go to Page iii, it has a list of maps. That list of maps, you will have to repaginate the list of maps because there are maps in the topical area section. And if you go to the Table of Contents, the Topical Plan Elements will have to be repaginated there as well. The point being, as soon as you make a change in the document, it typically has a ripple effect in one or two other places in the document because of how everything connects through the Table of Contents. He stated let's ask them the question and find out how hard it is. Mr. Sullivan stated how much it will take, extra time. Council member Stinnette stated on that one we will defer to staffs discussion with the consultant.

Council member Stinnette stated that we are on line 187. This is Council member Ogelman on Topical Plan Elements. He thinks it is on Page 72. You are just basically proposing a remove and replace of the language. You want to replace your language into the last paragraph. Council member Ogelman stated yes. Council member Stinnette stated which is fine because we get rid of the 79, 21, 70, 30% tax revenue discussion which we already agreed to get rid of. He doesn't see a problem with that. Staff asked, "Is there specific language being requested?" Yes, there is. It is the language that he is proposing in Column E. Council member Grewe asked Council member Ogelman to clarify for him the second sentence in here. He does not quite understand what it is trying to say. Council member Ogelman

stated that the second sentence is saying, and he bases this just on what he ran on and what people have been saying to him that they would rather not have to raise residential and business property taxes as the way we fund ourselves. If there are ways to increase business, bring in more revenue, use that Meals Tax, but not by raising the Meals Tax, but by having more people come into Town to eat, those kinds of things that would be the preferable way to generate the revenue for the Town. Council member Grewe stated that he is in picture perfect agreement on that very much so. The way the first sentence goes, "Economic Development is important to the community." It looks like a typographical error. He is hoping for clarity. He likes the rest of this a lot. Go from community to the town. Great. Then he loves this. Council member Stinnette stated so for staff, remove the seven words after "community." It is "community period and then The Town ..." Mr. Mekarski stated yes. Council member Grewe stated to Council member Ogelman that he really likes this. This is really good. This is excellent.

Council member Stinnette stated that we are on line 188, Topical Plan Elements. It is on Page 72 as well. The last two sentences. *(inaudible)*. Council member Ogelman's change basically resolves Council member Bledsoe's concern.

Council member Stinnette stated line 189, Page 72, Topical Plan Elements. Paragraph 3, Capital Improvements. Did we replace this paragraph? No, it's a different one. Why don't we do it this way? David, can you guys rework that paragraph that begins, "The Town's main revenue sources ..." Mr. Mekarski stated yes. Council member Stinnette stated that's dated and he thinks that is Council member Bledsoe's point here. Let's make sure we update that. It says, "The Town completed significant Capital Improvements over the last five years, including expanding and updating wastewater facilities, a new maintenance facility, collection and distribution systems, general government park facility, new vehicles, equipment and transportation improvements." He stated that he is not entirely sure that that's wrong. He is also taking to task is the number 80% of the General Fund in Parks and Recreation Fund. So, just relook at that paragraph. Mr. Mekarski stated re-evaluate.

Mayor Fraser stated that we started this Plan five-years ago. He was talking in 2010 that's when we did the Wastewater Treatment Plant et cetera. You can just put 10-years ago instead of five. Council member Stinnette stated you can put 10-years. He stated 10-years is the quick answer. He stated that a better answer is for you guys to take a look at the paragraph and make sure that we are still happy with it.

Council member Stinnette stated that we are on line 192. It is on Page 73, Bullet 9. If we intend to do that we need to balance that with the capacity of infrastructure to support tourism. Basically, it says, "Continue supporting businesses that attract tourism." Council member Grewe stated that all he was thinking that to supporting businesses and impact on the broader community. Council member Stinnette stated so the change here is "Continue supporting businesses and infrastructure that attract tourism." Council member Ogelman stated that he likes that.

Council member Stinnette stated that Page 16 will be the last page that we do tonight. Line 193, Council member Ogelman, Topical Plan Elements, Page 73. He wants to basically change the second bullet "To continue supporting businesses that attract tourism." Council member Ogelman stated that he just wanted to move that one up. Council member Stinnette stated so he basically wants to take Bullet #9 and make it Bullet #2. Council member Ogelman stated and everything else can follow straight as they are. Council member Stinnette inquired are you guys following that? Mr. Mekarski stated yes.

Council member Stinnette stated that we are onto line 194, this is Page 73. He wants to reword Bullet #3. Council member Ogelman stated that he actually went through all of them. You can see it goes 2, 3, 4, all the way down. Those are him reorganizing those bullets.

Council member Stinnette stated that you are referring to Bullet #3 that is currently on Page 73, correct? Council member Ogelman stated if you take everything from row 193 to row 201, all he is doing there is reordering those bullets. Council member Stinnette inquired whether or not he changed any of the language in the bullets. Council member Ogelman stated that he doesn't believe that he did. He is not sure about that. The gist of what he was trying to do and taking up so much space, he was reordering bullets. Council member Stinnette stated so staff basically adopts all of Council member Ogelman's reordering. Council member Ogelman inquired if he did change the language could they bring it back for us to discuss any of the ones where he changed the language. Council member Stinnette stated yes. Mayor Fraser inquired is that clear? Mr. Mekarski stated right. The bullets are reordered.

Council member Stinnette stated that we have less than 50 items to go through. He thinks we can finish going through the yellow blocks on Monday. The homework that he would like to recommend for you guys is we aren't going to go through the non-colored block because the non-colored blocks basically staff said yes. Staff said, "Yeah, we can do that." He stated what the homework is, is for you Council members to review the non-colored blocks where staff said, "Yes." And say, "Okay. Do I have a problem with them saying yes to another Council member's input?" If you identify any problems that we have, then we will talk about those on Monday.

Mayor Fraser inquired did we get through Page 16. Council member Stinnette stated yes, we did. We got through line 201, which was basically all of Council member Ogelman's reordering on the recommendations on Page 73. Mayor Fraser inquired can we do 202? Council member Stinnette stated yes.

Council member Stinnette stated line 202, Council member Bledsoe, Topical Elements. Number 1. "What are disposable buildings?" That goes to the current Number 1 that is in there. If you read that, the last line says, "And avoid disposable buildings inconsistent with the Town's character." He guesses the question on disposable buildings would be sort of like a utility shed by the business. You probably don't want to do that. He said staff recommends, "Delete the word disposable as it is not clear what a disposable building is." So, you could go, "And avoid buildings inconsistent with the Town's character." He thinks you need to qualify buildings in this case. He gets your point we don't have a definition for "Disposable buildings." Is there another language you would use rather than "Disposable buildings," Patrick? Mr. Sullivan stated that he would just eliminate that word because disposable can mean so many different things from a playset, to a shed, to a butler building. Council member Stinnette stated how about "temporary buildings?" Mr. Conlon stated "impermanent." Mayor Fraser stated non-essential. Mr. Sullivan stated that his recommendation is to delete the word. Mayor Fraser inquired if you delete the word is there more confusion? Council member Stinnette stated no. It says, "Avoid buildings inconsistent with the Town's character." If he is going to get rid of "disposable buildings," then get rid of everything after "and." Mr. Sullivan stated that everything we talk about is having all our buildings and everything else maintaining the character. Mayor Fraser inquired is there a definition section to this in the Plan. Council member Stinnette stated there is. Mayor Fraser inquired can we put disposable buildings there. Council member Stinnette stated we could define disposable buildings. We could go with temporary buildings. There is any number of ways you could do that, or we could just avoid the last part, "And avoid disposable buildings inconsistent with the Town's character." Mayor Fraser stated just take that out after "Purcellville." Council member Stinnette stated yes. Mayor Fraser stated okay, good. Council member Stinnette stated that we are going to delete "And avoid disposable buildings inconsistent with the Town's character." That gets you through item 202. Is there anything else you want to get through? Mayor Fraser stated nothing else.

Mayor Fraser inquired if the Town accepts my language and they accept your language and there's a contradiction. You want the word "monetize removed. I want the word monetize to stay in. Council member Stinnette stated that would be one where you would asterisk, or he would asterisk, because you are going to review all of the comments that staff has accepted. Then you are going to say, "Well, I disagree with staff accepting Council member Grewe's comment on monetize." We have a couple more minutes. Let's have that discussion because it is going to come up either way. Let's get done with it now. At the end of the day, its language that we have used in this Town for a period of time. He thinks over the last five or six years since Mayor has been involved in the Town. Good, bad, or indifferent everybody understands what is meant now when we say, "Monetize assets." There are any number of words you can say, recapitalize assets, leverage assets. The word that everybody knows is "monetize assets." What do you mean by that? Well, I am going to take the Town owned assets and I am going to figure out how to create a revenue stream out of those assets. At this point, for me it is small dog to puppy on changing that language. He would be inclined to just leave it alone and not change it. Council member Grewe stated that the reason he considered removing it was because frankly, one of the general public. He wasn't trying to change the process underneath. He thinks those should be considered in each case as they come up as we do on Council and pursue or whatever that process is. He was trying to recognize the fact that it does become a politicized word, and it does become one that essentially is in a sense triggering and so you end up siding with one side or the other. His thought was that for the sake of better unity within the community, to take out, not changing the actions but you take a word out so people can get to the substance underneath it, rather than having automatic rejection or automatic acquiescence, or automatic us versus them reaction to try and have better community. That was his thought on it. He wasn't trying to change the actions of the words. If possible he wants a holistic community buy-in. Council member Stinnette was talking earlier what does it take to get to yes. He stated to get to yes, there is preferably seven votes on Council to adopt the Plan. We also have to get to a

yes for the public to say yes lets do that. Mayor Fraser stated he doesn't know of another word. He thought about leverage. But then he thinks of leverage buyout. And you don't want to do that. In his view, it is only a few folks that are against this word. That's why he wanted to keep it. Council member Stinnette stated that we are debating small dog versus puppy. He would be inclined to just leave it the way it is. Mayor Fraser inquired anybody against leaving it? Council member Ogelman stated no. He stated to him the bigger issue is a lot of times we say what we are doing and we know why we are doing it, but we don't articulate in the same context of what we are talking about and why we are doing it. The bottom line is the only reason that this Council or any members of it want to monetize any kind of our assets is to reduce pressure on our taxes and rates, and to find ways to do that without trying to turn to additional growth. He thinks adding to this to alleviate pressure for raising taxes and rates, or to alleviate pressure on increased taxes and rates is the genuine way or the reason to put that in there. Mr. Mekarski stated that he just used it in the Aberdeen example. Council member Stinnette asked staff to just do a word search in the Plan. Look for the word "Monetize." Any time you use the word "monetize," put in a statement like Council member Ogelman just said. That kind of gets everybody speaking the same language. The Planning Commission tried to make this as a non-political document. It wasn't their lane. We recognized it when it came to Council. Council would politicize pieces of the cards. So, by virtue of the fact that the Planning Commission used the word "Monetize," they weren't thinking about it political one way or the other. They were saying does that describe our intent? Yes, it does. Can you further refine that by adding clarifying language that Council member Ogelman suggests every time we use the word "Monetizing," and the answer is yes, we can. Council member Ogelman stated that if everybody agrees, "To alleviate pressure on higher taxes and utility rates." Council member Cool stated that some of the folks that might not like that word, a small group of people that don't like that word have owned assets in this Town and monetized them. Also, some of the folks that don't like it from a use perspective in some of the fields; have tried to in the past convert fields to monetize. He doesn't really care what those few people that are just going to argue whatever word we use. He thinks it is ridiculous to argue on that.

Council member Stinnette stated that we are at the done part with this thing tonight. He just wanted to make a comment. He wanted to apologize to Council and everybody in the room for the side bar discussion and the optics that came out of that. There was no ill intent there. There was no commitment or deal making. It was an explanation of a straw poll vote that this Council had reached two meetings prior. It was probably a poor explanation so he takes the blame for that. He also takes the blame for not being cognizant of the fact that we were conducting it with three Council members and a member of the Town, one of the concerned applicants. That was a poor optic and he takes full responsibility for that. And he apologizes for that and asks for your forgiveness.

Mayor Fraser stated apology accepted. Thank you. Council member Grewe stated that he was going to say something very similar so he won't repeat the words, but particularly regarding the optics of that there were no decisions being made there. It was an attempt to explain. He very much concurs with what Council member Stinnette said.

Mayor Fraser stated apology accepted. Mr. Mekarski stated that he wanted to ask the Council's indulgence. We are way behind on doing our work for the Council agenda on the Work Session coming up. We have some Public Hearings, some reports. We are going to get it out tomorrow. We probably will be late. The entire Administrative Team is playing catch up trying to fit all these Special Meetings and get the core responsibilities done. Be patient. We will get it done as soon as we can.

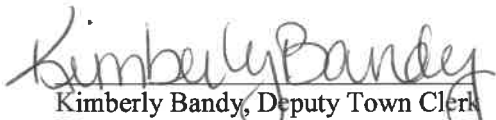
Council member Stinnette stated that while we have a public forum, he does owe you this. Council member Cool, and Council member Stinnette and David sat down with Chuck Kuhn. He was on the agenda next week to talk about partnering with us on different properties, specifically, the property that is adjacent on the West End. The Warner brook property, and the Webber Bless property. He was planning on coming to the Council and talk to us about options for those properties. He has bought an interest in the West End. Council member Stinnette stated that he thinks he is getting ready to buy an interest in the Warner brook property. He already has an interest in the Webber Bless property. We met with him and basically said that there is not a whole lot of appetite to annex anything into the Town. But we are always interested in talking and hearing proposals, and so on and so forth. But we said that we think that you need to come up with a better strategy than just coming here. He wasn't going to have a formal presentation. What we recommended to him was to actually attend our Public Hearing on the Comprehensive Plan because that would give him a good sense of where the community is at in terms of our plan going forward comprehensively. And that might help him in form any presentations or discussions that he wants to have with the

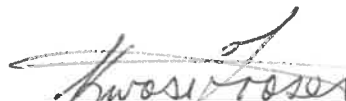
Town. The proposed draft agenda he thinks has a place for him on there. He's not going to come talk to us on Tuesday. But conversely what he is going to do is he will attend the Public Hearing on the Comprehensive Plan. And then probably in the back half of March he will come and talk to us. Mayor Fraser stated so we will strike that part from the agenda then. Council member Stinnette stated that he just wanted to get that out. He inquired of Council member Cool whether he misrepresented any part of that. Council member Cool stated no. Council member Stinnette stated David, you were there. Is that accurate? Mr. Mekarski stated that's perfect.

ADJOURNMENT:

With no further business, Council member Grewe made a motion to adjourn the meeting at 9:38PM. The motion was second by Council member Cool and carried 5-2 absent.

Respectfully submitted by Faith Stine.


Kimberly Bandy, Deputy Town Clerk


Kwasi Fraser, Mayor