

**PURCELLVILLE TOWN COUNCIL MEETING  
TUESDAY, FEBRUARY 11, 2020, 7:00 PM  
TOWN HALL COUNCIL CHAMBERS**

The meeting of the Purcellville Town Council convened at 7:00 PM in Council Chambers with the following in attendance:

**PRESENT:**

Kwasi Fraser, Mayor  
Tip Stinnette, Vice Mayor  
Nedim Ogelman, Council member  
Ted Greenly, Council member  
Joel Grewe, Council member  
Chris Bledsoe, Council member  
Ryan Cool, Council member

**STAFF PRESENT:**

David Mekarski, Town Manager  
Sally Hankins, Town Attorney  
Hooper McCann, Director of Administration  
Dale Lehnig, Capital Projects & Engineering Manager  
Patrick Sullivan, Director of Community Development  
Andy Conlon, Senior Planner  
Diana Hays, Town Clerk/Executive Assistant  
Kimberly Bandy, Deputy Clerk

**CALL TO ORDER**

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

**AGENDA AMENDMENTS/APPROVAL**

Mayor Fraser requested that in the interest of people's time, they asked that they remove the Sister City initiative for the agenda. Council member Stinnette suggested that they move the Comprehensive Plan Time Extension from discussion to action items as a motion as associated with this. It was noted that no further changes were required.

**RECOGNITIONS**

**2019 Doc Wiley Leadership Arts Award Recipient - Karlah Louis**

Mayor Fraser remarked that it was a privilege to recognize an artist. Mayor Fraser noted that his son was now a junior at Carnegie Mellon due to Karlah Louis' and her dedication, commitment and support. Mayor Fraser stated that artists think about the community and others to bring their masterpiece into being, and noted that they were present to honour Karlah Louis.

Liz Jarvis, Chair of the Purcellville Arts Council, stated that they endeavour to support any artistic project in the town, whether it be performing or visual arts, and commented that every year they have a memorial to former council member and dentist, Doc Wiley, who started the art committee in 2014. Liz Jarvis read a submission in support of Karlah Louis, that remarked on her leadership and talent, that she directs 3-5 shows per year and holds 2-3 camps per summer, as well as directing a Harmony Middle School production per year. The submission noted the number of those affected by Karlah Louis's work both on and off the stage, and remarked on how she had made a difference in the arts and so many lives.

Karlah Louis first thanked her late husband, Arthur, before noting that this was Ann and hers 10<sup>th</sup> year

directing at Harmony Middle School, and that she was now going back to the stage. Karlah Louis explained how the arts can change lives, can inspire children to have a voice in the community, and that it inspires adults beyond their careers, and she urged everyone to continue to support the arts. Karlah Louis paid tribute to all those who she has worked with, including Ann Cirillo, Anne Stewart and Elizabeth Bracey. Karlah Louis asked all those involved in Main Street to be part of the photograph.

## **PRESENTATION**

Mayor Fraser confirmed that the presentation Presentation on the Proposed Aberdeen Trail by Loudoun County Equine Alliance by Kelly S. Foltman, DVM had been moved to the meeting on 25<sup>th</sup> February.

## **CITIZEN/BUSINESS COMMENTS**

None

## **MAYOR AND COUNCIL COMMENTS**

Council member Grewe commented on the number of items on the agenda and wished to acknowledge the number of recent deaths in the community.

Council member Stinnette stated that over the last week he had the opportunity to re-examine the belief that compromise best advances the interest of the corporate whole, which was found on an economic-centric education. Council member Stinnette noted that there were several people he had spoken to that reminded him that unanimous compromised decision doesn't necessarily mean this is correct, and he had to ask if the compromises he sought had advanced the interests of the community. Council member Stinnette noted 2 issues, the treatment of the East End land use in the comprehensive update, and the deliberation on the Sister City relationship. On the East End, Council member Stinnette stated that the choice could be distilled to being a town buying the green space or a developer coming in with high density development. Council member Stinnette remarked that there were a range of options between these 2 extremes, and that he had spent the last 5 years debating these options. Council member Stinnette explained that he has concluded that it's appropriate for them to consider how best to advance the interests of the community and reach a compromise that serves the interests of all East End stakeholders. Council member Stinnette commented that he felt this had been done with the proposed land use definition for agriculture tourism commercial. On the Sister City relationship with Linden, Council member Stinnette stated this was a choice between yes or no, but what falls between these is how they arrive at their decision. Council member Stinnette supported sister cities and that he saw their value, including cultural and educational benefits, and that he also supported Purcellville's tradition of community involvement. When combining this community involvement with council decisions, this sets conditions for success, and Council member Stinnette stated that he invoked community collaboration before entering into a Sister City relationship with Linden. Council member Stinnette acknowledged that this would delay the decision but that it would leverage their rich tradition of community involvement and set the conditions for success of highly valued programmes. Council member Stinnette confirmed that he therefore didn't support entering into a Sister City relationship with Linden at this time.

Council member Greenly wished to mention Officer Michael Dixon, who prior to being hired for the Purcellville Police Department, worked at the veterinarian hospital as an assistant and kennel manager. Council member Greenly noted that Michael Dixon's desire to help animals is so strong that he works with animal rescue groups and trains dogs in his spare time, and he also has a passion for law enforcement. Officer Dixon graduated from the Northern Virginia Criminal Justice Training Academy in 2017 and has been assigned to the midnight shift for his entire career. Council member Greenly noted that Officer Dixon had recently been selected as the firearms instructor based on his proficiency, and that he is a high performer.

Council member Cool asked the Council on the update on trash collection and that he hoped this would be discussed. Council member Cool noted that Mayor Fraser had mentioned that the RFP building a new cell

tower would be reissued as even though there was no response to the initial RFP, this was due to all potential bidders not being aware of it. Council member Cool stated that he was unsure what information he had to draw this conclusion as opposed to the other explanation that there was no interest. Council member Cool asked David Mekarski, Town Manager, to make a statement about this. David Mekarski explained there was a lot of interest in the cell tower and that they learned a number of lessons over the last 2 months, that they interviewed over 6 possible respondents, many who indicated that some of the reasons they didn't respond was that they didn't see the advertisement. David Mekarski added that they could've taken a more active role in soliciting individuals and companies that are involved in the industry and noted that they learned a number of lessons relative to the RFP itself and the conditions of an agreement.

David Mekarski, Town Manager, confirmed that his team has a draft RFP that is consistent with the resolution that was presented to the council in December, and the team is now ready to review this. David Mekarski commented that they should get up to 4 respondents and that they will send out the RFPs in the traditional method of procurement, but they would also send out individual solicitations to the companies they know are interested. David Mekarski confirmed this would also be published in the web publication that they know is used within the industry. Council member Cool noted that this had come up in past meetings and that he asked it to be put in the meeting minutes. Council member Cool referred to a meeting from 5<sup>th</sup> December where he noted the staff report outlined 10 simple adjustments and specifications in the process to ensure response and that they had learnt from the 3 respondents who volunteered comments. Council member Cool continued that the site is very marketable and can be a successful public/private project and therefore requested council support of the amendments. Council member Cool thanked the citizens for their comments.

Council member Bledsoe first wished to honour Karlah Louis' late husband, Arthur, who in 2013 joined the Purcellville Parks and Rec advisory board as they had a keen interest in the music and arts festival they were planning. Arthur made worthwhile contributions to the plans and Council member Bledsoe noted Karlah and Arthur's investment in the community. Council member Bledsoe next noted his support for Mayor Fraser's decision to withdraw the Sister City initiative discussion from the agenda, stating that he would prefer for them to focus on the priorities that sit within their primary priorities.

Council member Ogelman commented that he had spoken to members of his neighborhood and raised some issues mentioned. Council member Ogelman first looked at a question regarding the new Blue Ridge Estates development, noting that there had been questions from the landowners where the development is of when the developer would fulfil the obligation to install the sidewalk and work with the stone fence. Council member Ogelman commented that there were residents on J Street who expressed concern about traffic on Orchard when taking their children to school and they wanted to know why it wasn't a 4-way stop. Council member Ogelman noted that a number of residents noted that since this part of town doesn't have a homeowners' association, they asked what enforcement the town has with respect to yard upkeep and tidiness across the neighborhood. Council member Ogelman commented that he also saw misinformation regarding the second cell tower and thanked David Mekarski for his clarification.

Council member Ogelman next looked to the Sister City initiative and agreed that they socialize with the community and discuss with citizens what this would mean but urged that they also consider what opportunities they may miss rather than just focusing on cost. Council member Ogelman remarked that unless they come up with creative ideas to keep the town vibrant, the community will think the default solution is just higher taxes. Council member Ogelman confirmed his commitment to the council's efforts to find creative solutions to alleviate any pressure on citizens. Council member Ogelman noted at the EDAC meeting they discussed that they would announce the winners from the Christmas Float Contest at the next town council meeting. Council member Ogelman added that they have 2 high school students on EDAC, Omna and Abbie, noting that the town's vibrancy comes from its young people, and that he supported integrating young people into their economic life.

Mayor Fraser commented that after 2 state of the town addresses, one of which was the prior evening with around 40 in attendance, the state of the town was strong and vibrant. Mayor Fraser explained that earlier that afternoon he presented to the business community, which was well received, and that the only challenge

was that he would prefer to sit with the business members and collaborate. Mayor Fraser noted that 30% of the Purcellville population are young, and he remarked that he was pleased to meet with Mr Rodriguez and his 10 Programme, which he felt the Police Chief would be particularly interested in as it's an innovative solution to traffic stops. Mayor Fraser noted that they have received a grant of \$50k from Samsung to present this to New York City. Then looking to the Sister City initiative, Mayor Fraser noted the level of feedback, which Mayor Fraser described as some being constructive and some bigoted. Mayor Fraser remarked that this was a venture that would take up no one's time and that it wasn't his intent for this to become an issue, and while he heard some council members describe it as a distraction, he commented he didn't see it as this but that he stood corrected. Mayor Fraser commented that some people had tarnished this and therefore, going forward, he would prefer to get collaboration from everyone and then publish it. Mayor Fraser stated that, with a country of over 86% GDP, it would be not prudent to not partner with such a country and suggested that the business community could partner with them in other ways, which Mayor Fraser confirmed he encouraged. Mayor Fraser noted that he had seen a post that was sent that claimed he believed that they could build a cell tower and they will come. Mayor Fraser continued that he was very prudent and that all they had built was \$40m in a wastewater treatment facility and that they were still waiting for them to come. Mayor Fraser stated to be aligned with that philosophy was incorrect.

David Mekarski asked Mayor Fraser if he wanted the management team to respond to Council member Ogelman's queries regarding the stone wall on 32<sup>nd</sup> Street and code enforcement. Council member Ogelman confirmed he would welcome a response. With regards to the stone wall on 32<sup>nd</sup> Street, David Mekarski confirmed that he had asked Dale Lehnig, Capital Projects & Engineering Manager, to provide an update. Dale Lehnig confirmed that they had reached out to the contractor and were yet to receive an answer. Dale Lehnig added that in previous conversations, the contractor had said it would be toward the end of the project. Council member Ogelman stated that the family who lives on the side were under the impression it would happen a year ago so he felt it was beholden on them to keep them informed. Dale Lehnig confirmed that they were obligated to do it and it was bonded.

Looking at Council member Ogelman's question regarding property maintenance and code enforcement, David Mekarski, Town Manager, confirmed he had been discussing this with the community development department and town attorney over the last 2 years. David Mekarski stated that, in his professional opinion, property maintenance and code enforcement is inadequate at current levels, which they can't immediately address due to budgetary constraints. Mr. Mekarski remarked that there are opportunities for collaboration and to be more proactive, and he noted one suggestion regarding adapting the Property Maintenance Code of the International Building Code, and then collaborating to look for code enforcement assistance from Loudoun County. David Mekarski noted that this would be a solution that would allow them to be more proactive with consistent and clear guidelines but with low costs. Mr. Mekarski confirmed that if the council wished to pursue this then they could set up a work session in March for it to be included in budgetary discussions. Council member Ogelman thanked David Mekarski and approved of the direction.

David Mekarski stated that this would help protect property value and improve quality of life, as well as strengthening the business community, and that the methodology of code enforcement is around collaborative efforts to work towards property improvement. Mayor Fraser commented that there is a lot of property that the town owns that needs to be improved. Mayor Fraser addressed a question from an elderly resident regarding Maple Avenue and a removed speed hump, asking why it hadn't been replaced. Dale Lehnig confirmed that when the Maple Avenue waterline project was carried out, the fire department preferred it wasn't in place as it slows them down so it wasn't replaced. Mayor Fraser stated that they would discuss this at another time as the concern remains that it allows other vehicles to speed up on this road.

## **DISCUSSION/INFORMATIONAL ITEMS**

### **a. Reading into the Record the January 1 Thank you Note to Chief Maple and his Department**

Council member Stinnette noted a letter from Jim Kneeland who wrote to the Purcellville Fire Department's Chief Maple, which read, 'Dear Chief Maple, I would like to let you know how much I appreciate the

services your department provided me on the evening of 1<sup>st</sup> November 2019. Unfortunately, I managed to fall down a flight of stairs that night, resulting in an open fracture to my left forearm, a fractured bone in my right hand, and a fractured skull. These injuries were life threatening. My son dialed 911 and in an incredible 2 minutes and 37 seconds, your rescue team was on site and seeing to my needs. I was immediately transported to the facility at Lansdowne and eventually to Fairfax Trauma Centre. I am well into my recovery and have the excellent services of your department to thank for my survival and potential for full recovery. Although I seriously wish I'd never put myself in the position of needing your services, please believe I am truly grateful. Yours sincerely, Jim Kneeland.'

**b. Update on Water Tower Project**

David Mekarski, Town Manager, provided a brief introduction, noting that they are on track for a definitive construction schedule and they have an agreement from the contractors for the engineering solution. Dale Lehnig continued that there have been weekly calls with the carriers, who all seem to be on the board with the proposed modification solution. Dale Lehnig noted that they have agreed to the fees that will be included and they have the costs and third-party QA testing. Dale Lehnig, Capital Projects & Engineering Manager, confirmed that Pittsburgh Tank and Tower will be doing the modifications on the foundation and they will send out the breakdown of costs to each one of the carriers. Dale Lehnig estimated that once the POs are cut, which should be in around 2 weeks, in the following 4-5 weeks Pittsburgh Tank and Tower would begin with an estimated completion date of 29<sup>th</sup> May. Dale Lehnig noted that they have also spoken to Suez and it is hoped that Team Oval and Verizon will be able to cut their POs for this work before the other works starts so this can be done before the other begins. This means in May/June, the carriers can start going back to the water tower.

Council member Stinnette asked if the August timeframe was still possible. Dale Lehnig stated that Suez will be doing the catwalk and they hoped this could be done before the work on the foundation is done to help cut down the timeframe. Council member Stinnette noted that they could therefore potentially be complete before August. Council member Stinnette added that when they put the antenna back up then there is a possibility that they will improve cell coverage for the town. Dale Lehnig confirmed that AT&T and Sprint will go to the top of the tower so they should have better coverage.

Dale Lehnig noted a question regarding the capacity of the tower and if there was any remaining capacity. Ms. Lehnig confirmed that with the current design they would be at 102% so there would be little capacity for any new antennas to go up, but some existing carriers may take some down and replace theirs with heavier equipment. Dale Lehnig added that this would include their equipment.

Council member Ogelman asked if the improvement in the tower would be enough to allay the concerns of the south-west corner of the town. Dale Lehnig responded that she was unsure but that the carriers could probably do a model to show the coverage. It was added that a study and analysis was held and it was still an issue, so while there may be an improvement, this would be ongoing.

**c. Options Available for Mitigating, short term, 287 North-Bound Left Turns Associated with the Traffic Signal at Route 7**

Council member Stinnette noted that he had raised the point and thanked Dale Lehnig for her response. Council member Stinnette referred to an email from a resident that stated when she drives on Berlin Turnpike going north, she gets underneath Route 7 and wants to go westbound, which is where cars come off eastbound. Council member Stinnette confirmed that the resident's question was whether they or Loudoun County had looked at the timer function on the light to ensure it was optimized for moving traffic to make the left turn. Dale Lehnig, Capital Projects & Engineering Manager, responded that the issue is there is only 1 lane going northbound and there is a left-turn arrow, and once the left-turn is off, if someone is making a left then the traffic backs up. Dale Lehnig stated that there was no good answer for a short-term fix and she

confirmed she had reached out to Loudoun County on if there any short-term solutions, who said there wasn't. Dale Lehnig, Capital Projects & Engineering Manager, noted that the project is out in Loudoun County and the town hasn't been involved in securing funding for this. Council member Stinnette noted that the resident felt the short-term solution was to have the left-hand turn arrow appear every green light. Dale Lehnig responded that she was unsure but she could find out from VDOT.

Council member Stinnette noted that he didn't want Dale Lehnig to spend too much time on this but that he would appreciate them ensuring the green arrow is working as designed. It was noted that there was a meeting next week with VDOT where they could raise this and request that they look into this. Council member Ogelman added that he has experience of the signal and that the turn is blocked by anyone going straight.

Council member Greenly asked that the question he submitted be held back until they had a response about the alternate route. Dale Lehnig responded that she did send an answer on this and that she didn't think at this point they have enough information. Council member Greenly stated that he felt it was a question to ask further down the line. Dale Lehnig confirmed that she had asked the project manager if the town would be involved in this and he stated that they would be invited to initial meetings. Dale Lehnig added that the scope of the project has been defined and they have federal funding through Smart Scale.

Mayor Fraser asked if there was a way to put the information on this online. David Mekarski confirmed that this was all online and that he would be happy to provide a link for residents.

Council member Grewe offered that he had spoken to Supervisor Buffington and that he gets a lot of feedback on this so is likely to have an active pulse on what this is and may have the data they are looking for. Mayor Fraser asked Council member Grewe if he could ask Mr Buffington, to which Council member Grewe stated that he could but he felt it would be better received by the community when staff provide an official answer.

**d. Update on Nutrient Credit Letter (oralupdate)**

Sally Hankins, Town Attorney, noted that an update had been provided at the last meeting but that the agenda point would remain for future updates. Council member Cool thanked Sally Hankins, David Mekarski and the team for the work being done on this.

**e. Update on Fireman's Field Contract**

Sally Hankins, Town Attorney, confirmed that in December the Loudoun County Board of Supervisors approved a 5-year contract for the maintenance of Fireman's Field, and they have just completed the walkthrough of the field to ascertain its current condition as a baseline measurement. Ms. Hankins added that they would continue to work with the county to get the final document in place.

Council member Greenly noted the presence of Keith Hudson from the football league and asked Sally Hankins to comment on the meeting that was held. Sally Hankins confirmed that she didn't attend the meeting. Council member Greenly confirmed that the football league had expressed a desire to come back to part of the field and so a meeting was held regarding this. Council member Greenly confirmed that nothing has been confirmed but they are hoping to get this done. Sally Hankins added that staff will be working with Supervisor Buffington's office to get him to the table so he can have a meeting with ULYFL.

David Mekarski commented that they had annually committed to a bleacher inspection, which had been completed earlier that day, and it passed with some minor corrections that the public works maintenance crew will attend to. David Mekarski confirmed that they will be installing a new scoreboard at a cost of nearly \$40k, and they will work with the county to take down the old wooden bleachers and look to replace these with metal bleachers.

Council member Grewe asked if there was a timeline on the new scoreboard being installed, to which it was confirmed it would be before the new baseball season starts.

Council member Stinnette noted the 2-for-1 deal regarding the scoreboard and getting an electronic sign. A response was given stating that there are some zoning issues regarding the sign ordinance, and it doesn't currently allow electronic signs. Patrick Sullivan confirmed this, adding that they had some issues from the community with the Exxon station on Maple Street regarding their changeable lights. Patrick Sullivan, Director of Community Development, continued that they no longer allow this type of lighting. It was added that Bob Dryden has looked into this and they have some concepts but the issue with the zoning remains. David Mekarski noted the \$75k that was appropriated for Capital Improvements for Fireman's Field means they don't have a separate capital item, but this is something they would like to pursue but they didn't have the opportunity to do the deal.

Mayor Fraser asked if there was an opportunity to approach Wells Fargo in the spirit of collaboration and community to ask them for assistance in paying the bill, noting that they would first have to change the zoning ordinance. David Mekarski responded that they would likely have to discuss a shared arrangement for putting in both Patrick Sullivan as community announcements and commercial announcements. Sally Hankins stated if they followed this approach then they would open up the whole town to digital signage, which should be part of a public hearing process. Sally Hankins suggested that one benefit to being the government is that they are allowed to perform government uses outside of zoning ordinance regulations and they could look into this. Mayor Fraser asked that they explore this, remarking that the signs could be changed by computer and therefore save the town money.

Council member Ogelman responded that they want to discuss this with the community and confirm that it would be different from the Exxon signage. Council member Ogelman commented that if this would save the town resources, time and effort then citizens need to know this before they either support or reject the proposal. Mayor Fraser confirmed that this would therefore be added to the agenda of a future meeting.

Council member Ogelman asked if there was any update on the right of way issue. Sally Hankins stated that she would need to place an advertisement in the paper this week for a public hearing so the contract can be brought to the public before a council vote. Sally Hankins added that she received information on the lease amount with the requested amount accepted, noting that she would provide an email update on this.

Council member Grewe responded to Sally Hankins's earlier comment regarding digital signs, paraphrasing that they made this illegal but, as the government, they will ignore this. Sally Hankins, Town Attorney, stated that she had avoided saying it in those terms, but she accepted the accuracy of Council member Grewe's comment. Council member Grewe wished it to be understood that they could carve exceptions for themselves. Council member Ogelman asked if they would therefore be doing something illegal, to which Sally Hankins confirmed that they would not.

**f. Update on the Small Businesses Impacted by the American Disposal Audit (oral update)**

Hooper McCann, Director of Administration, noted that American Disposal and the town entered into an audit exercise to evaluate and verify the number of residential collection units to ensure they weren't paying for too many and for them to ensure they were paying for the correct amount. Hooper McCann confirmed that they found that some businesses in town were effectively receiving refuse and recollection at no charge. Hooper McCann then sent a letter to 56 properties from those that American Disposal pick up from, stating that American Disposal does have some paying customers and some that weren't. Ms. McCann confirmed they have received a response from 9 businesses, 1 of which had another agreement for collection. Out of around 320 businesses in the town, it is a small number of businesses receiving the service for no charge, but Hooper McCann noted that they made efforts to get the notice out as early as possible. Ms. McCann apologized for not getting the note out sooner, explaining that this was due to wanting to verify the property locations.

David Mekarski noted that this was a loss of revenue to American Disposal and that the town has no legal

obligation to collect from commercial properties with no legal authority to extend beyond the contract.

David Mekarski stated that some business owners received a free service for up to 15 years, remarking that the Presbyterian church estimated their costs for trash services is around \$3.7k per year. Mayor Fraser acknowledged a suggestion made by Mayor Fraser to possibly collaborate and see if American Disposal could give a group rate to the businesses that were receiving the free service. David Mekarski clarified that the letter sent out was a courtesy letter as this wasn't a mistake by the town, but that Hooper McCann had gone to a great effort to communicate with these businesses. Hooper McCann confirmed that the impact was likely smaller than was originally anticipated and they can't guarantee that all those who received letters have been receiving the service for free.

Council member Ogelman commented that this was the contractor's responsibility to enforce and monitor this and therefore the businesses, unless they were informed, would know about this. Hooper McCann confirmed that they have received calls regarding their trash not being collected and they would discover the business didn't have an American Disposal account where it would be made clear that the town's contractor isn't responsible for picking up for businesses. Council member Ogelman stated that this wasn't Hooper McCann's responsibility as the onus is on American Disposal. Hooper McCann stated that, due to their commitment to the local businesses, they wanted to provide an opportunity to reach out to them rather than allowing the collection to just cease.

Council member Bledsoe thanked Hooper McCann and the staff for their work on this and felt this was a strong reflection for their commitment to supporting the community.

Council member Grewe asked Hooper McCann and Sally Hankins to clarify that there was no expectation that the affected businesses who received up to 15 years free service wouldn't be expected to repay this. Hooper McCann, Director of Administration, confirmed she wasn't aware of any expected repayment. Sally Hankins, Town Attorney, added that this was between American Disposal and the business owner, but it wasn't indicated that there would be any retroactive collection.

Council member Grewe appreciated the efforts to make the businesses aware of both the audit and the potential impact.

#### **g. Update on Simplifying Town Meeting Minutes**

David Mekarski, Town Manager, noted that the town clerk has been working with Swagit, the new contractor, and that they were livestreaming the meeting to allow citizens to better participate in the deliberative process. David Mekarski stated that this was led by Council member Ogelman and they looked to bring democracy to people's doorsteps. Mr. Mekarski confirmed that not only was the video livestreamed, but it would also be indexed. David Mekarski noted that Swagit have been working with Middleburgh to transcribe the minutes, which saves the town clerk around 3 hours of transcription time for every hour of meetings. Mr. Mekarski confirmed that Swagit doesn't offer this to all customers but due to a high level of response from customers for the service, they are looking at a service contractor to provide this and be rolled out in the coming months. David Mekarski stated that once further information is available, Diana Hays, Town Clerk/Executive Assistant, will provide this to the town and they can consider this within the budget process for next year.

Council member Stinnette noted that a transcription would be created where they may be typos, and then on top of this they will create a motion sheet with the actions that occurred as a result of the transcript. This would then become the official record of the event. Council member Stinnette stated that the minutes they have would be transformed into a combination of motions, votes and an attached transcript. Diana Hays corrected that the state code would require them to also keep minutes of attendance as well as a summary of the item and votes. Sally Hankins raised the comment regarding 3 hours of staff time for every 1 hour of meeting times. Sally Hankins explained that they are currently behind due to the number of meetings that were held in January and therefore have historical minutes that are yet to be completed. Sally Hankins noted that there are 12 meetings worth of minutes that they are behind on, which total around 96 staff hours to



complete, which would cost around \$2,500.

Sally Hankins, Town Attorney, requested that they ask Council to consider if they could do a reduced version of the minutes as they put in more detail than is required, and with the video software, whether they actually need a transcript and whether the minutes could instead show a high-level summary of the salient points. This could therefore reduce staff hours and would allow them to catch up with the minutes. Mayor Fraser confirmed that he would submit to David Mekarski and Sally Hankins that the point be brought forward to the meeting on 25<sup>th</sup> February to make a decision, but that he expected support on the item.

Council member Stinnette noted the backlog of minutes and asked that Sally Hankins provide a sample size of how she wants to proceed to consider for the next meeting. Sally Hankins agreed and stated that this could become the standard practice. Sally Hankins added if they wanted additional detail then they could make this an exception on a meeting-by-meeting basis rather than the rule. It was added that once the transcription service was available then they could request this per meeting to get more detailed information.

Council member Ogelman commented that the value he saw in the minutes was the ability to search them. Sally Hankins noted that they couldn't search for keywords with the video. Council member Ogelman stated that as long as they could search for agendas then they could watch the relative segment of the meeting. Council member Ogelman added that this would work as an archive to see how past Councils voted but that the voting records would also be included in the minutes.

### **ACTION ITEM(S)**

**a. SUP19-01 Ruff and Tumble Corp. DBA: Dogtopia of Purcellville**

Council member Grewe noted that, based on the findings and the staff report dated 28<sup>th</sup> January 2020, he moved that the Town Council approve SUP 19-01 to allow a kennel at 201 North Maple Avenue, subject to the following condition. That the number of domestic animals housed at the day care facility at any one time be limited to 125. The motion was seconded by Council member Bledsoe.

Mayor Fraser noted that a public hearing had been held 2 weeks ago and opened the floor to comments. Council member Grewe added that, post the public hearing, he had received community feedback that was entirely positive. Council member Ogelman commented that some citizens had expressed some concerns at the planning commission stage, and the owners of the prospective business addressed all these questions and mitigations. Council member Stinnette remarked that it was good to have the franchise representative. He added that the more thorough the planning commission is in vetting these packages, the easier it is for them.

Mayor Fraser noted that the motion was made by Council member Grewe and seconded by Council member Bledsoe. All council members voted in favor and the motion carried 7-0.

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

Grewe:	Aye
Greenly:	Aye
Cool:	Aye
Bledsoe:	Aye
Ogelman:	Aye
Stinnette:	Aye
Mayor:	Aye

**b. Resolution Authorizing the Town of Purcellville's Participation in a Town Consortium to Issue a Regional RFP for Refuse and Recycling Services**

Council member Grewe moved the Town Council to adopt Resolution number 20-02-02 approving the Town of Purcellville's membership and participation in a town consortium for the purpose of the development issuance of a regional RFP for refuse and recycling collection service. The motion was seconded by Council member Cool.

Council member Greenly confirmed that the resolution doesn't obligate the town to action. Council member Greenly commented that they have a dynamic rate, but the contract ends on 30<sup>th</sup> November 2020 and the rate is likely to increase.

Mayor Fraser noted that the motion was made by Council member Grewe and seconded by Council member Cool. All council members voted in favor and the motion was carried 7-0.

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

Grewe:	Aye
Greenly:	Aye
Cool:	Aye
Bledsoe:	Aye
Ogelman:	Aye
Stinnette:	Aye
Mayor:	Aye

**c. Letter of Map Revision (LOMR) - South Fork Catoctin Creek**

Council member Ogelman moved that the Town Council does not sign the LOMR R3063372402539 for the South Fork Catoctin Creek property and directed the town manager to forward a correspondence to FEMA stipulating the town's reason for such denial as contained in the summary and recommendation of the staff report. The motion was seconded by Council member Greenly.

Council member Grewe commended Sally Hankins, Town Attorney, on her work in putting the summary together, stating that this was a necessary action, particularly given the impact.

Council member Ogelman commented that over the past couple of months he felt this was one of the optimal community democracy processes and he thanked the town's staff for this. Council member Ogelman noted that the citizens of the neighborhood had the opportunity to articulate their positions. Council member Ogelman remarked that he found the meeting FEMA attended was extremely valuable and he thought that, based on all the comments, this was the right direction to give citizens to know that they have a voice in the system.

David Mekarski thanked the entire team and acknowledged the Council's recognition.

Mayor Fraser noted that the motion was made by Council member Ogelman and seconded by Council member Greenly. All council members voted in favor of the motion and the motion carried 7-0.

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

Grewe:	Aye
Greenly:	Aye
Cool:	Aye
Bledsoe:	Aye
Ogelman:	Aye
Stinnette:	Aye
Mayor:	Aye

**d. Motion to Ratify Two Employee Settlement Agreements**

Council member Stinnette moved that the Town Council ratify the 2 settlement agreements discussed in the closed meeting between the town of Purcellville and 2 employees of the police department, including monetary amounts to be paid thereunder. Each agreement should constitute a contract settling a public employment dispute and should therefore be held confidential as a personal record under the Virginia code 2.2-3705.1. A full accounting of the town's expenses will be provided upon successful conclusion of the remaining issues stemming from the events of the last 3 years. The motion was seconded by Council member Grewe.

Council member Ogelman made a point of order that the closed meeting was held on 10<sup>th</sup> December 2019.

Council member Grewe acknowledged that part of the public would like to have some light shone on the process, commenting that this runs counter to most of their preferences of holding discussions in public meetings. Council member Grewe noted that there was a reason for the process and, since there is a potential impact, they can't yet provide the accounting, but there is a firm commitment that this be seen as it's public money. Council member Grewe commented that he appreciated the efforts in getting this matter forward and being closed.

Council member Stinnette pointed everyone to a Loudoun Now article published that day, describing it as exculpatory in terms of the motion. Council member Stinnette noted that it stated that Mayor Fraser said the town successfully worked with the insurance company to settle a lawsuit brought by Chief McAlister, who sought \$16m in damages, that the town hasn't released the settlement amount, but it was expected to vote to formally ratify the settlement agreement. The Town Manager previously stated that the town release a full accounting of the town's expenses relating to the lawsuits once it settles its final outstanding lawsuit. Council member Stinnette felt that the motion is consistent with the language in the reporting.

Mayor Fraser referred to Council member Grewe's comment, agreeing that they want full transparency, but that when it comes to legal matters, there is the vanity of transparency versus the prudence of transparency. Mayor Fraser confirmed that in time they would be able to disclose how much of taxpayers' money went towards this.

Mayor Fraser noted the motion was made by Council member Stinnette and seconded by Council member Grewe. All council members voted in favor of the motion and the motion carried 7-0.

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

Grewe:	Aye
Greenly:	Aye
Cool:	Aye
Bledsoe:	Aye
Ogelman:	Aye
Stinnette:	Aye
Mayor:	Aye

**e. Extension of Town Council's Time to Deliberate on the Town's Comprehensive Plan**

Council member Stinnette moved that, for the purpose of extending the deliberation time of the Town Council on the Comprehensive Plan, the Town Council request the Planning Commission to renew its recommending resolution date of 5th December 2019 by adopting the proposed Resolution 20-02-01. This moves to provide the Council an additional 90 days for further deliberation. The motion was seconded by Council member Grewe.

Council member Stinnette stated that the planning commission met last Thursday and discussed this at length where they went through all 341 entries on the change matrix, and council asked the commission to provide an additional 90 days to allow the consultant to provide a clean copy, version 7.0. This would also give staff the opportunity to certify this copy and then conduct a public hearing, after which they will deliberate on whether to adopt the plan. The expected timeline is for a public hearing to be held on or around the first town council meeting in April, and a motion to adopt in the second town council meeting in April. Council member Stinnette noted that, based on discussions, there was no reason to believe the commission wouldn't give them an additional 90 days.

Council member Grewe asked, if the consultant were taking the document and comments, how much of the 90 days would be taken up by technical writing. Council member Stinnette confirmed there would be 3 weeks of sending the advertisement to the newspaper and then getting 2 weeks of advertisement. There would be 2-3 weeks of the consultant taking all the changes and putting them into the document, including map revisions. There will be an additional week for the community development staff to certify what the consultant gives them, followed by around 2 weeks for the staff to go through all 341 entries and ensure the consultant understands these changes. Council member Grewe asked if it would be fair to state that these dates were suggested and could be less. Council member Stinnette agreed that it could potentially go faster.

Ms. Hankins added that after the public hearing there would be another 2 weeks and the vote would occur within the 90 days.

Patrick Sullivan, Director of Community Development, commented that it was difficult to compress the time due to legal requirements. Council member Grewe responded that he hoped the reviews wouldn't take 3 weeks and confirmed he wasn't looking to constrict the legal requirements. Patrick Sullivan stated that almost everything had to be completed before going into advertising. Council member Ogelman suggested that they be transparent about the timeline and ensure they be deliberative in getting input.

Mayor Fraser noted that the motion was made by Council member Stinnette and seconded by Council member Grewe. All Council members voted in favor of the motion and the motion was carried 7-0.

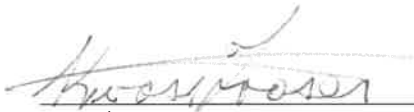
Motion: Vice Mayor Stinnette  
Second: Council member Grewe  
Carried: 7-0

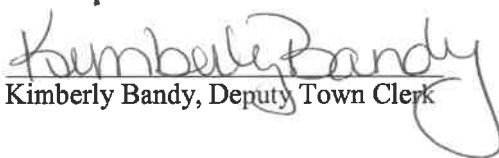
Grewe:	Aye
Greenly:	Aye
Cool:	Aye
Bledsoe:	Aye
Ogelman:	Aye
Stinnette:	Aye
Mayor:	Aye

### **ADJOURNMENT**

With no further business, Council member Ogelman made a motion to adjourn the meeting at 8:47PM. The motion was seconded by Council member Grewe. All council members voted in favor and the motion was carried 7-0.

Submitted by TakeNote

  
Kwasi Fraser, Mayor

  
Kimberly Bandy, Deputy Town Clerk

**Mayor**  
Kwasi A. Fraser



**Town Manager**  
David A. Mekarski

**Council**  
Chris Bledsoe  
Ryan J. Cool  
Theodore Greenly  
Joel D. Grewe  
Nedim Ogelman  
Tip Stinnette

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**TOWN OF PURCELLVILLE  
IN  
LOUDOUN COUNTY, VIRGINIA**

**RESOLUTION NO. 20-02-02**

**PRESENTED: FEBRUARY 11, 2020  
ADOPTED: FEBRUARY 11, 2020**

**A RESOLUTION: AUTHORIZING THE TOWN OF PURCELLVILLE TO PARTICIPATE IN A TOWN CONSORTIUM FOR THE PURPOSE OF THE DEVELOPMENT AND ISSUANCE OF A REGIONAL REQUEST FOR PROPOSALS FOR REFUSE & RECYCLING SERVICES CONTRACTS IN EACH TOWN**

**WHEREAS**, currently each town in the counties of Loudoun and Prince William have contracts with different vendors for the collection of refuse and recycling within their communities; and,

**WHEREAS**, it is believed that a regional approach to the development of contracts to secure refuse and recycling services would result in a better price for those involved; and,

**WHEREAS**, the Towns of Hamilton, Haymarket, Hillsboro, Lovettsville, Middleburg, Purcellville and Round Hill have expressed interest in entering into a regional consortium, to be known as the "Town Consortium", for the purpose of soliciting proposals from interested refuse and recycling collection businesses, with the goal of developing individual contracts with one vendor to provide refuse and recycling services to each town, said contracts to be effective upon the expiration of their existing contracts; and,

**WHEREAS**, the Town of Middleburg has agreed to coordinate the development of a regional Request for Proposals (RFP) and serve as the Principal Procurement Contact for this project; and,

**WHEREAS**, participation in the Town Consortium would not obligate the towns to enter into a contract with the recommended vendor, but rather would simply allow them to explore this as an alternative; and,

**A RESOLUTION:**

**AUTHORIZING THE TOWN OF PURCELLVILLE TO PARTICIPATE IN A TOWN CONSORTIUM FOR THE PURPOSE OF THE DEVELOPMENT AND ISSUANCE OF A REGIONAL REQUEST FOR PROPOSALS FOR REFUSE & RECYCLING SERVICES CONTRACTS IN EACH TOWN**

**WHEREAS**, each town has an obligation to protect the public health, safety and welfare, to promote the common good, and to preserve an attractive and harmonious community; and,

**WHEREAS**, the Mayor and Members of the Town Council of the Town of Purcellville believes entering into the Town Consortium for the solicitation of a contract with one vendor for refuse and recycling collection services would accomplish the above;

**NOW, THEREFORE, BE IT RESOLVED** that the Town Council does hereby direct that with the adoption of this Resolution, the Town of Purcellville shall become a member of the Town Consortium for the purpose of soliciting proposals from interested refuse and recycling collection businesses, with the goal of developing individual contracts with one vendor to provide refuse and recycling collection services for each of the town.

**BE IT FURTHER RESOLVED** that the Town agrees to identify a representative to serve on a Town Consortium Review Committee, whose purpose shall be to develop and issue the regional RFP, review the proposals received as a result; and make a recommendation for the selection of a vendor(s) to each town.

**PASSED THIS 11th DAY OF FEBRUARY, 2020.**



Kwasi A. Fraser, Mayor  
Town of Purcellville

**ATTEST:**



Diana Hays, Town Clerk

