MINUTES
PURCELLVILLE TOWN COUNCIL MEETING
THURSDAY, MARCH 10, 2020, 7:00 PM
TOWN HALL COUNCIL CHAMBERS

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

PRESENT:	Kwasi Fraser, Mayor Tip Stinnette, Vice Mayor Ted Greenly, Council member Chris Bledsoe, Council member Joel Grewe, Council member Nedim Ogelman, Council member Ryan Cool, Council member (left at 8:05 PM)
ABSENT:	None
STAFF:	David Mekarski, Town Manager Sally Hankins, Town Attorney Sharon Rauch, Director of Human Resources Patrick Sullivan, Director of Community Development Chief Cynthia McAlister, Police Dept. Jason Didawick, Assistant Director of Public Works Dale Lehnig, Capital Projects and Engineering Manager Diana Hays, Town Clerk/Executive Assistant Kimberly Bandy, Deputy Clerk

CALL TO ORDER

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

AGENDA AMENDMENTS/APPROVAL

Mayor Fraser added two items to the agenda for discussion: actions in place for the care of the ravens that could be disturbed by the work at the water tower and actions in place for the Coronavirus. David Mekarski confirmed. Sally Hankins requested to add an update on the shared parking agreement for the lot in front of the Train Station. Mayor Fraser confirmed.

Vice Mayor Stinnette asked for agreement from Council to formally task staff to plan for a new police facility and requested a discussion be added. Mayor Fraser agreed.

Council member Grewe requested adding the raven's discussion with the update on the water tower project. Mayor Fraser agreed.

Council member Bledsoe stated Ms. Hankins would like to move up the action item for Segra to earlier in the meeting since representatives from Segra were in attendance. Council agreed.

CONSENT AGENDA

Vice Mayor Stinnette made a motion that the Purcellville Town Council approve the Consent Agenda, item 5a. as presented in the March 10, 2020 Town Council Meeting agenda packet. The motion was seconded by Council member Grewe.

Motion:	Vice Mayor Stinnette
Second:	Council member Grewe
Carried:	6-0-1 Abstention

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

PUBLIC HEARING

a. License of Public Right-of-Way to Lumos Networks, Inc., Doing Business as "Segra"

Mayor Fraser opened the public hearing at 7:06 PM and stated the purpose for the hearing. No citizens were signed up to speak, and Mayor Fraser introduced Sally Hankins who gave an overview of the project. Ms. Hankins introduced Mary McDermott, General Counsel for Segra, who also gave an overview of their project. Ms. McDermott introduced Jason Syke and Mike Deida, Senior Engineer of Construction.

Council member Ogelman asked how big the conduit would be and how much fiber maximum would fit into the conduit. Mr. Deida stated the conduit would be 1.5 inches and that the maximum is 1,700 strands of fiber. Council member Ogelman asked if Segra plans to use optical amplifiers and other equipment, and Mr. Deida stated the County handles that part of the project and Segra is only laying dark fiber. Council member Ogleman asked if 5G customers could become customers. Ms. McDermott stated she is not aware of that demand in this region and for small cell, have not yet provided that and that they would be bound to the limitations of the technology. Council member Ogelman asked how much broadband capacity would be provided to the schools. Ms. McDermott stated the school system will be able to decide, and Segra does not know. Council member Ogelman stated if there are ways by which County citizens can reap the benefits of the service, it would be a good development to try to move towards.

Council member Greenly asked if roads would be blocked during construction. Mr. Deida stated traffic could be impacted but would be limited, as most of the work will be done on the shoulders.

Mayor Fraser asked what can be expected as a community as a partnership with Segra and how Segra can benefit the community. Ms. McDermott stated that she feels their strength is that they are local and prides themselves in being part of communities.

Council member Grewe asked what happens when the contract expires in five years. Ms. Hankins stated a discussion would be held the year prior, and talked about franchise through the RFP process as an option.

With no further comments, Mayor Fraser closed the public hearing at 7:26 PM.

Council member Ogelman stated as discussed in the last meeting, Council knew this item would be presented, and advertised voting would occur the night of the public hearing, and made a motion that the Town Council suspend the rules so that action can occur on the Segra item on the night of the public hearing. The motion was seconded by Council member Greenly.

Motion:	Council member Ogelman
Second:	Council member Greenly
Carried:	6-0-1 abstention

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

Council member Ogelman made a motion that the Town Council authorize the Town Attorney and Town Manager to execute the License Agreement between the Town and Segra, at an annual rate of $30,000 and in substantially the same form as the agreement was presented to Council at the public hearing. The motion was seconded by Council member Bledsoe.

Motion:	Council member Ogelman
Second:	Council member Bledsoe
Carried:	6-0-1 abstention

Grewe:	Aye
Stinnette:	Aye
Greenly:	Aye
Cool:	Aye
Bledsoe:	Aye
Ogelman:	Aye
Fraser:	Abstain

CITIZEN/BUSINESS COMMENTS

Liam McGranahan, 478 Russell Road, Berryville, Amy Ulland, 8 High Street, Round Hill and Joe Coleman, 13499 Yellow Schoolhouse Road, Round Hill came forward and talked about the ravens on the temporary tower. Ms. Ulland and Mr. Coleman requested that Council take action to suspend work on the tower this year and in future years until nesting is complete.

Council member Bledsoe reminded the speakers that the ravens would be discussed during the first agenda item.

MAYOR AND COUNCIL COMMENTS

Council member Grewe had no comments outside of the agenda items that would be discussed.

Vice Mayor Stinnette thanked the citizens for their comments and had no additional comments.

Council member Greenly provided a response to the Mayor's comments from the last Council meeting about the Sister City. Council member Greenly referenced an upcoming meeting with Upper Loudoun Youth Football and Loudoun County that he and Council member Grewe would be facilitating.

Council member Cool referenced the Sister City comments, comments made by Jimmy Reynolds about the budget, talked about Upper Loudoun Youth Football, read comments he sent to ULYF, and talked about comments he heard from citizens about water, taxes, and transportation. Council member Cool stated he asked that comments about ULYF discussions be held in the public. Council member Cool stated he asked Mr. Mekarski to contact the County about any insurance issues with the field, and referenced the disturbing comments that Council member Ogelman would be making.

Council member Bledsoe sent condolences to the family on G Street regarding their house fire and thanked the first responders for assisting, and thanked the citizens for talking about the ravens.

Council member Ogelman stated a citizen told him that one of the candidates and relatives approached her house and berated her for putting up signs supporting Mayor Fraser and felt intimidated. Council member Ogelman talked about nutrient and future carbon credits and the state legislation. Council member Ogelman stated he brought Marcos Salinas to Town Hall to enhance live streaming particularly with presentations, and that Mr. Salinas would be emailing staff to follow up on the visit. Council member Ogelman stated EDAC discussed a movie club, and mentioned having a discussion later on reasons for setbacks.

Mayor Fraser talked about being accused of three items by Council member Greenly and that Council member Greenly did not produce information he promised to but used information from a newspaper article instead. Mayor Fraser provided an update on the Town Manager's contingency plan, and asked for Council support to direct the Town Manager to include copper and its alloy in the Coronavirus plan. Mayor Fraser talked about transforming the Dillon House into an attraction and proposed that the Economic Development Advisory Committee, Train Station Advisory Board and Parks and Recreation Advisory Board engage the owners of Vulcan Concrete to assess interest, feasibility and viability in a long-term no cost lease to transfer the house and grounds into a visitor center and park.

DISCUSSION/INFORMATIONAL ITEMS

a. Update on Water Tower and Ravens Impact

David Mekarski stated current work does not involve loud noise and that changes to the schedule have been made to not disturb the ravens. Mr. Mekarski talked about additional work to be done on the tower, which would not disturb the ravens. Mr. Mekarski talked about a possible camera and box on the tower for students, in working with Makersmiths, in order to observe the ravens. Mr.

Mekarski talked about the importance of getting cell reception back to normal at the request of the citizens.

Dale Lehnig talked about the replacement of the antennae and asked if the May 15 date would be ok. Mr. McGranahan stated he feels the ravens would have fledged by that time. Ms. Lehnig added she does not feel it would be an issue to the delay work but would need to check with the contractor. Mr. Mekarski add that the work is basically consisting of spot welding to reduce noise. Mr. McGranahan explained the process when the ravens leave the nest and talked further about noise levels. Dale Lehnig stated the foundation work would be delayed until mid to late May into June, and that no equipment could go back on until it is completed and inspected.

Council member Ogelman talked about material costs, safety issues, and factor opportunity costs of putting risk on this type of birds. Council member Greenly stated he received a suggestion of putting up screens, and asked what the rent deduction costs would be. David Mekarski stated the majority of the carriers have agreed to submit the one-fifth share of payments as discussed, with the exception of one.

Council member Greenly suggested it would be helpful to know what the expected revenue in total would be versus what the subtracted number would be. David Mekarski added that the remittance associated with unreasonable delays with the construction is not directly related to the ravens and does not think additional costs with be assessed.

Council member Bledsoe reviewed the new timeline should the work be delayed, and asked if coral work could be done after foundation work but before welding. Dale Lehnig stated she believes it could but would be up to each carrier. Council member Ogelman agreed that the situation should be explained and see how flexible the contractors are. Mayor Fraser talked about steps taken to mitigate the risk and impacts to the town. Council member Grewe noted the lengthy timeline on this project. Further discussion took place on the nesting time and construction.

Vice Mayor Stinnette requested a one-day delay to the work in order get answers from the contractor on delaying the work until after the ravens have left (around May 15). Mayor Fraser stated if this causes an impact down the road to not stop the work.

b. Update on Comprehensive Plan

Patrick Sullivan, Director of Community Development, stated the consultant started work on February 18 and produced a redline, which was received on the 21st. Mr. Sullivan stated that when reviewing over 340 comments he found 150 issues that needed addressed. Mr. Sullivan added that there were around 14 issues discussed by Council that were not resolved and is hoping to have those finished soon.

Vice Mayor Stinnette confirmed that by the end of this week, staff would be able to provide the consultant with guidance to complete version 7.0. Patrick Sullivan stated this is mostly true and that staff needs more time to clarify the maps. Vice Mayor Stinnette confirmed that by the end of next week, the consultant would have all materials needed to progress, and Mr. Sullivan confirmed that the consultant would have all materials by March 20 and the consultant would need a week or so to make changes and have document back to staff. Mr. Sullivan added it could take one week to certify the document, by April 3. Vice Mayor Stinnette defined the timeline.

Council member Ogelman requested that the redline be distributed to Council as soon as it is

received rather than waiting on a certified copy. Patrick Sullivan confirmed he would forward to Council upon receipt. Vice Mayor Stinnette stated that the current redline does not reflect all of the comments.

Sally Hankins suggested if there is anything for interpretation that Council flag the item and share with staff.

b. Information on Property Setbacks

Council member Ogelman stated there are citizens concerned with how close houses are to their house, and does not understand why the setbacks in 2008 were for R2 (single family residential) were reduced by approximately ten feet and wants to understand why as it affects the character of the town. Council member Ogelman asked for consideration to move them back to where they were prior to 2008. Patrick Sullivan stated he feels the main reason for changing the setbacks, when they went from R3 to R2, was that there were issues with setbacks for non-compliance with too many houses either going into the setback or had issues with adding porches. Sally Hankins stated that in 2008 there was a comprehensive zoning ordinance text amendment adopted. Council member Ogelman stated he was looking at ordinance 08-10-01from October 14, 2008 for R2, and wants understand why it went from R2 to R3 and ultimately vote on going back to where the setbacks were in 2008. Mr. Mekarski suggested issuing the RFP for the comprehensive rework of the zoning ordinance.

Vice Mayor Stinnette talked about knowing the history of this and adding it to the discussion on the flood zone changes. Council member Ogelman agreed and asked for an update on the item with FEMA/LOMR as there are citizens that have asked about these issues.

Council member Grewe stated he would not like to have staff defend what they did unless it is something of record, and to just provide the established reasons/information. Sally Hankins confirmed staff would pull the documents relating to the R2 setback change and will look into the cost and benefits of the LOMR zero-foot rise amendment and how FEMA is doing on the Town's LOMR package.

d. Continuing Work Session Schedule Regarding Water and Sewer Rate Methodology and Rate Schedule

Vice Mayor Stinnette asked if the four-tier rate structure had been adopted or if it would be adopted with the budget. David Mekarski stated staff is suggesting that the four-tier methodology be adopted and that Council choose to not take that action and to proceed as if that were adopted so that decisions could be made on the Munis implementation. Vice Mayor Stinnette asked if the four-tier construct and any rate changes would be adopted at the same time as the budget, as two items. David Mekarski confirmed and reviewed critical dates for the budget and rate structure.

Council member Ogelman stated if he does not have answers to the questions he needs to make a decision that he will do the research himself and staff would need to work on his schedule, and that he is still waiting on what the impacts of the rate structure will be. Vice Mayor Stinnette stated there was a detailed presentation that Council member Ogelman may not have been in attendance for and suggested he review the materials from the work session. Council member Ogelman noted there was a meeting on Wednesday that he planned to attend remotely but because a quorum was

not present he was not permitted to. Further discussion took place about voting on the methodology and then the rates at a later time.

Mayor Fraser stated he would like to see a grid that shows the projected rate increase, the original water CIP, and the revised CIP. Mr. Mekarski noted that Stantec had provided this at the last work session and that the reduced-risk was modeled, and does not believe the $22 million was modeled. Vice Mayor Stinnette requested that staff include in the next agenda packet the Stantec briefing and impacts of the four-tier structure.

Council member Grewe reminded Council that Mr. Mekarski was directed to move forward with the four-tier rate system, however the vote was deferred until a full Council could be present. Mayor Fraser requested that Council let him know when important items need added to an agenda.

e. Coronavirus Planning Update

David Mekarski stated departments are reviewing their emergency preparedness plans and incident response plans, and announced a news release would be going out this week. Mr. Mekarski added he has been participating on calls with local, regional and state officials, and talked about the importance of keeping employees healthy, particular at the Water Plant and Wastewater Plant.

Vice Mayor Stinnette talked about segregated shifts to separate staff in case of illness to prevent spread and asked staff to think about upcoming events, the decision protocol, communications, and how to keep citizens safe. Ms. Hankins talked about the ability to meet by phone when the Governor declares an emergency.

f. Shared Parking Agreement – Purcellville Train Station

Ms. Hankins stated the Town has had an agreement with the owner for the lot in front of the Train Station for many years to utilize the lot for Train Station use, and that the agreement is up for renewal for $2,500 per year with a 2.5% escalation. Discussion took place about facility usage. The item will be added as an action item at the next meeting.

g. Facility for Purcellville Police Department

Vice Mayor Stinnette proposed that Council direct staff to develop a planning construct for a police facility. The construct should assume a need for both permanent and interim facilities with multiple courses of action informed by taxpayer costs. Staff should develop a plan to plan for a future police facility and provide Council with principle planning considerations going forward.

Mayor Fraser requested that staff look at ways to partner with state, county and federal for funding. Vice Mayor Stinnette clarified that staff owes Council planning considerations at the March 24 meeting. David Mekarski confirmed.

ACTION ITEMS

a. License of Public Right-of-Way to Lumos Networks, Inc., Doing Business as "Segra"

Discussion and vote took place under the Public Hearing.

b. FY21 Health Benefit Renewal for Employees and Retirees

Council member Grewe made a motion that the Town Council endorse the Town of Purcellville's continued participation in the Key Advantage 250 Plan offered by The Local Choice Health Benefits Program. I further move that Town Council continue the current cost-share of 85% paid by the Town and 15% paid by the employee. The motion was seconded by Council member Greenly.

Vice Mayor Stinnette asked that, if approved, the impact to the budget is $47,600 and is an increase over last year, and Sharon Rauch confirmed.

Council member Grewe asked the fiscal impact to staff. Ms. Rauch stated that is not known as employees can elect to change the enrollment each year. Discussion took place about the costs.

Motion:	Council member Grewe
Second:	Council member Greenly
Carried:	6-0-1 absent

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

ADJOURNMENT

With no further business, Council member Ogelman made a motion to adjourn the meeting at 10:40 PM. The motion was seconded by Council member Grewe and carried 6-0-1 absent.

Kwasi A. Fraser, Mayor

Diana Hays, Town Clerk