

Council Chambers, 25 West Market Street, 7:30 p.m. Mayor Kristen C. Umstattd presiding.

Council Members Present: David S. Butler, Thomas Dunn, Katie Sheldon Hammler, Kelly Burk, Marty Martinez, Kevin Wright and Mayor Umstattd.

Council Members Absent: None.

Staff Present: Town Manager John Wells, Town Attorney Jeanette Irby, Director of Planning and Zoning Susan Berry Hill, Senior Planner Irish Grandfield and Clerk of Council Lee Ann Green

AGENDA

ITEMS

1. Work Session Items for Discussion

a. County Courts Expansion

John Wells gave a brief explanation of the Loudoun County Courts planned expansion. He introduced Melissa Poole and Dan Cizmar of Loudoun County.

Summary of Key points:

- County Finance and Government Services Committee held a discussion regarding Courts expansion
- Further discussion and decision has been deferred until fall
- Space needs projections out to 2025 show targets for phase IV expansion
- Phase IV projections will increase 120,000 square feet over current space
- Security concerns regarding a public street dividing two court buildings
- Five options have been presented
 - Keeping 85,000 square foot building on Church Street and providing structured parking at the Pennington lot
 - Same as above but with surface parking at the Pennington Lot
 - Moving 30,000 square feet of general office functions to leased space
 - Moving all court functions to the Government Support Center site on Sycolin Road
 - Moving only General District and Juvenile and Domestic Relations Courts to the Government Support Center site.

Council Comments/Questions

- Where would additional buildings be located on the Government Support Center site?
County staff answer: Upper northeast portion near Crosstrail has been considered – currently identified as General Office
- Residents were promised that site would be office uses – this change would be negative for the surrounding neighborhoods.

- What is county staff's recommendation?
County staff answer: Proceeding with Option 5.
- Should decisions be held until the state finalizes plans for additional judgeships?
County staff answer: State study completion could be at least a year from now. Meanwhile, Loudoun County's case load continues to grow. Three year process from design to completion.
- What goes into planning courtroom space?
County staff answer: Circulation – entry and exits have to be different for the public, the judges, and the prisoners.
- Challenge the assumption that having a public street between two court facilities causes safety issues.
- Recommendation for town input on the decision making process
- Consideration for closing Church Street only when court is in session
- Consideration for night court

It was decided that a letter would be drafted for motion at tomorrow night's meeting.

b. Town Plan

Irish Grandfield stated the matrix has been updated based on comments received at the two most recent meetings.

Council Comments:

- Environmental health issues such as Lyme disease is not appropriately addressed as a land use issue
- Lyme disease can be more appropriately addressed on the website
- Consideration of a health and human services section to the Town Plan
- Decision was to take out the section on Environmental Health Issues and put it elsewhere in town policy
- How was the limit set for community commercial?
Staff answer: Other developments around town were surveyed for consistency
- Need more specific language to encourage commercial buildings to incorporate high bandwidth and cybersecure networks to attract quality employers
- Transportation needs around the Bolen Park/County Support Center site
- Is language flexible enough to allow for changes in the H-2 Corridor?
Staff answer: Provides for a preservation plan that will address topics not covered by the H-1 and H-2 guidelines. It would be prioritized and discussed as part of the action plan for the Town Plan.
- Consideration for trigger points that would allow additional commercial construction

Staff answer: Trigger points are usually addressed at the rezoning stage. There are concerns with limiting commercial development specific to a vacancy rate, particularly with respect to by-right development

- Concern over remaining area if one side of the Evergreen Mills Road/Rt. 15 intersection develops as commercial

Staff answer: Clarifying language can be provided at tomorrow night's meeting. Community commercial on the north side of Evergreen Mill, if moved to the south side, the north side is without guidance. Some guidance for what happens on that site. Low density residential seems like the appropriate plan land use.

c. Miller Drive Update/Funding Options

John Wells updated the Council on the issue of connecting Miller Drive with Tolbert Lane to provide ingress and egress relief for the businesses/government uses that are located on Miller Drive and at the Airpark.

Summary of Key Points:

- Opening of park and ride lot and purchase of two office buildings by the county on Sycolin Road have increased traffic
- County's finance and internal operations committee has recommended potential funding up to \$600,000 with options to be looked at by the county administrator and town manager
- Possibility of application for grant money under the Virginia Airport Access program to look at some combination of funds to address the project
- ASE has proffered completion of the road which is triggered by certain conditions relating to the development of their property
- Funding could include working with the county on an agreement that would provide for direction of KSI/AADP proffer towards this project, work on an agreement with ASE for right of way for the connection at no cost to the town, and leave the door open for potential application for grant funds
- Application for grant funds may slow down the project

Council Comments/Questions:

- Light to be installed at Tavistock Drive will make egress from Miller Drive more difficult
- What needs to be done to move forward with this project?

Staff Answer: Direction to the Town Manager to work on the following:

- Some type of agreement with ASE.
- Agreement with the County regarding application of AADP proffer funds
- Possible third action to deal with grant application

- What is the timeline for completion?
Staff answer: Assuming a six month design, six month construction schedule – a year to 15 months
- Was this included in the CIP?
Staff answer: No, because it was anticipated to be completed with proffers.
- Will there be any conflicts having Sycolin closed for construction at the same time this project is under construction?
Staff answer: None are anticipated

d. Wall Mural/Town Garage

John Wells stated this item was asked for by Council Member Burk.

Council Comments:

- Public Arts Commission has a process in place
- Various artists in Loudoun County have received grants to produce murals so there would be no cost to the town
- Ensure zoning ordinance does not classify a mural as a sign
- Concern that a mural is not the type of public art project that reflects the community
- Site is a valuable asset
- A mural will not “fill the empty space”.

2. Additions to Future Council Meetings

Council Member Dunn – asked for a discussion on the King Street portion of the Downtown Improvements Project. It was noted that this item would return to Council prior to the August meeting.

3. Closed Session

None.

4. Adjournment

On a motion by Council Member Martinez, seconded by Council Member Butler, the meeting was adjourned at 9:26 p.m.

Clerk of Council

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Council Chambers, 25 West Market Street, 7:30 p.m. Mayor Umstattd presiding.

Council Members Present: David Butler, Kelly Burk, Thomas S. Dunn, Katie Sheldon Hammler, Marty Martinez, Kevin Wright and Mayor Umstattd.

Council Members Absent: Council Member Dunn arrived at 7:40 p.m.

Staff Present: Town Manager John Wells, Town Attorney Jeanette Irby, Director of Planning and Zoning Susan Berry Hill, Deputy Director of Planning and Zoning Brian Boucher, Senior Planner Irish Grandfield, Senior Planner Mike Watkins, and Executive Associate Tara Belote

AGENDA ITEMS

1. **CALL TO ORDER**

2. **INVOCATION:** Council Member Katie Sheldon Hammler

3. **SALUTE TO THE FLAG:** Council Member Dave Butler

4. **ROLL CALL:** Showing Council Member Dunn arriving at 7:40 p.m.

5. **MINUTES**

a. Work Session Minutes of June 11, 2012

On a motion by Council Member Martinez, seconded by Council Member Butler, the minutes of the work session of June 11, 2012 were approved by a vote of 6-0-1 (Dunn absent).

6. **ADOPTING THE MEETING AGENDA**

On the motion of Council Member Martinez, seconded by Council Member Butler, the meeting agenda was approved as presented by the following vote:

Aye: Butler, Burk, Hammler, Martinez, Wright and Mayor Umstattd

Nay: None

Vote: 6-0-1 (Dunn absent)

7. **PRESENTATIONS**

a. Certificates of Appreciation – Tree Commission Volunteers at the Leesburg Flower and Garden Show

On a motion by Council Member Burk, seconded by Council Member Butler, the following volunteers at the Leesburg Flower and Garden show were recognized:

Liz Joseph

Robbie Jackson

Amber Brant

Caroline Kinsella

Ashley Silvernale

Amber Douglass

Rachel Krueger

Christina Werts

Ashlyn Gill

Katie Everett

Emily Burch

Jessica Kachadorian

<i>Sophia Caulfield</i>	<i>Maddie Brown</i>
<i>Kiara Brown</i>	<i>Courtney Glover</i>
<i>Brianna Schroth</i>	<i>Kathy Godinez</i>
<i>Jennifer Hemke</i>	<i>Lyna Lam</i>
<i>Karishma Ruhnke</i>	<i>Naya Shah</i>
<i>AJ Ruhnke</i>	<i>Lauren Le</i>
<i>Jacqueline Janicke</i>	

b. Tree Commission Annual Report

Tom Seeman, Chairman of the Tree Commission, presented a brief summary of the activities of the Tree Commission over the past year.

Summary of Key Points:

- Tour Des Trees – bicycle tour stop at Rust Library. Tree was planted at Rust Library and educational materials were distributed
- Tree Care Summit – held as a daytime activity at Ida Lee. Included a lecture with questions and answers on the care of trees. Tree planting and tree pruning demonstration for the public.
- Flower and Garden show – distributed lots of seedlings. Positive feedback from the public regarding the health of their seedlings. Successful volunteer activity for high school students and Girl Scouts. Partnership with the Environmental Advisory Commission
- Tree Plantings at Schools – this year at Harper Park Middle School in conjunction with the local Ecology Club. Excellent opportunity for education
- Comcast videos – at least 12-15 videos regarding care of trees
- Received annual Tree City award
- Improvements in centralized tree management and pre-planning for tree preservation in conjunction with capital projects

Council Members thanked the Tree Commission and all the volunteers for their work.

c. War of 1812 Bicentennial Concert Event

Ara Bagdasarian, Chair of the Loudoun Symphony, presented Loudoun Symphony's request for \$5,000 funding for the 1812 Bicentennial Event. He noted that Leesburg has unique historical importance in the War of 1812 as the archives of the country were moved for safe keeping to Leesburg.

He reviewed the plans for the event and noted that Leesburg would benefit from the marketing and tourist dollars associated with the event.

It was decided that this item would return to the July 10 Council meeting for vote.

8. **PETITIONERS**

The petitioner's section was opened at 7:57 p.m.

Peggy Coleman, 209 Pathway Court, stated she is addressing the town's position with regards to Potomac Crossing Park. She stated the current litigation is a unique opportunity to reconfigure this park and reconsider development patterns for this neighborhood. She stated a lot has changed since the proffer was originally offered in the mid-1990s. She stated now Leesburg is aware of watershed issues and improvements have been made in materials such as pervious surfaces and artificial turf playing fields. She asked Council to visit the site before making a final decision.

Lee Louder, K2M, stated they design and manufacture spinal implants. He stated they support the connection of Miller Drive to Battlefield Parkway. He stated they currently have 200 employees at their Miller Drive location and anticipate having close to 500 employees in five years. He stated they are FedEx's largest customer in Loudoun County and transportation links to Battlefield Parkway and the toll road are very important for them.

Mayor Umstadd stated currently the Board of Supervisors and the Town are working on funding solutions for the connection of Miller Drive and Tolbert Lane.

Susan Jacks, Raspberry Falls, stated she represents the HOA Community Issues Committee that addresses topics concerning the residents. She stated their development, when completed, will consist of about 200 homes. She reviewed the issues regarding the Raspberry Falls well water system. She asked that the town assist Raspberry Falls and Selma Estates by providing an option for clean water.

Cynthia Klevonis, Raspberry Falls, stated she also represents the Raspberry Falls Homeowner's Association. She requested they are asking the town to run a pipe from Tuscarora High School to the town limits and Loudoun Water would construct the remainder of the way to Raspberry Falls. She stated an agreement could be worked out to ensure a reasonable rate of return for Leesburg's investment and Loudoun Water would be responsible for final water quality. Further, she stated the pipe can be sized so that it could only reasonably serve Raspberry Falls and Selma Estates.

Bob Bunch, Paeonian Springs, stated this is a follow-up with regards to the last Town Plan transportation amendment regarding his property near Holiday Inn. He requested that a sentence be inserted on Page 68 of the Town Plan to capture the discussion to date regarding consideration of possible alternative access for the properties fronting Rt. 7. He asked that the language be amended to add, "Consideration should be given to an alternative future parallel access road from Battlefield Parkway to serve the north side Rt. 7 frontage properties located east of Battlefield Parkway."

Ms. Irby stated the Town Plan does not generally address local roads.

Laura Maschler, stated the Town Council meetings are welcoming and inclusive.

The petitioner's section was closed at 8:23 p.m.

9. APPROVAL OF THE CONSENT AGENDA

On a motion by Council Member Martinez, seconded by Vice Mayor Wright, the following items were moved for approval as part of the Consent Agenda:

- a. Awarding Construction Management Continuing Services Contracts

RESOLUTION 2012-074

Awarding Construction Management and Project Management Continuing Services Contracts to Alpha Corporation of Dulles, Virginia, A. Morton Thomas & Associates, Inc. of Chantilly, Virginia and McDonough Bolyard Peck, Inc. of Fairfax, Virginia

- b. Awarding Construction Contract for Lowenbach, Phase III Prince Street Project

RESOLUTION 2012-075

Awarding the Construction Contract for the Lowenbach Street Improvements Phase III – Prince Street Project to Arthur Construction, Co., In the Amount of \$1,309,996.75

- c. Supporting the VDOT Rt. 7 Climbing Lane Project

RESOLUTION 2012-076

Route 7 Truck Climbing Lane Location and Design Public Hearing Approval

- d. Miller Drive Funding

MOTION 2012-013

I move that the Town Council support the completion of Miller Drive Extension from Blue Seal Drive to Tolbert Lane and will devote the necessary staff resources to manage the design and construction of this project under the following conditions and directions:

- That the Town establish a capital project for the Miller Drive Extension from Blue Seal Drive to Tolbert Lane; and
- That an agreement be negotiated with the developer for the dedication of the necessary right of way and easements at no cost to the Town for the completion of Miller Drive to Tolbert Lane and other considerations; and
- That an agreement between the County and the Town be developed for final action that commits the proffer funds currently held by the Town from the AADP Agreement as applied to the Village at Leesburg. These funds currently in possession of the Town would be fully appropriated to this capital project.

- e. County Courthouse Expansion

MOTION 2012-014

I move that a letter be drafted and sent by the Mayor to the County Administrator (and copies the Board Chairman) that requests the involvement of the Town Manager and key staff to work with the County Administrator and his staff on the options and analysis regarding the Loudoun County Courts Expansion. The Council would request an update on the results of the on-going work on this project in early fall

The Consent Agenda was approved by the following vote:

Aye: Butler, Burk, Dunn, Hammler, Martinez, Wright and Mayor Umstatt

Nay: None

Vote: 7-0

10. PUBLIC HEARING**a. Rezoning TLZM 2012-0002 134 Fort Evans Road, NE**

The public hearing was opened at 8:27 p.m.

Michael Watkins presented a brief summary of the application.

Summary of Key Points:

- Request adds 900 square feet to the approved rezoning (TLZM 2008-0004) application located at 134 Fort Evans Road, NE
- Additional square footage allows a piece of medical equipment that could not be installed in the basement to be installed in one of the above ground floors.
- Windows on the front façade were altered to keep the architectural detailing of a residential structure.

Council Comments:

- Concern over loss of trees

There were no members of the public wishing to address this public hearing.

The public hearing was closed at 8:32 p.m.

On a motion by Council Member Dunn, seconded by Council Member Martinez, the following was proposed:

ORDINANCE 2012-O-017

Amending TLZM 2008-0004 Fort Evans Road, to Increase Building Square Footage Located on the Property Identified as PIN 188-18-6875, Located at 134 Fort Evans Road

The motion was approved by the following vote:

Aye: Butler, Burk, Dunn, Hammler, Martinez, Wright and Mayor Umstatted

Nay: None

Vote: 7-0

11. RESOLUTIONS AND MOTIONS

a. Town Plan

On a motion by Vice Mayor Wright, seconded by Council Member Martinez, the following was proposed:

RESOLUTION 2012-077

Adopting TLTA 2011-0003 "Five Year Town Plan Update"

Irish Grandfield recommended not dealing with the issue Mr. Bunch raised at this meeting.

Council Comments/Questions:

- Could the land owners in Mr. Bunch's case build a private access road?
Staff answer: Yes, but the question would be whether the town would be able to accept the road as a public road
- Too much detail may limit the flexibility for multiple solutions in the future
- Preliminary design of the Battlefield/Rt. 7 interchange has not been completed so consideration of local roads is not appropriate at this time
- Council thanked staff and the Planning Commission for their work on this update

Council Member Butler proposed an amendment to restore Comment #6 in the Natural Resources, Page 7 but removing the words "such as Lyme Disease" to read: "Consider environmental health issues in Land Development...". Council Member Martinez seconded the amendment for discussion purposes.

Council Member Hammler offered a friendly amendment to the proposed amendment to add the word "mitigate" and end the sentence at "...create health supportive environments." The friendly amendment was accepted.

Mayor Umstatted clarified the amendment would read, "Consider environmental health issues in land development. Use planning and landscape design strategies that do not conflict with the green infrastructure or other policies in the Town Plan to create health supportive environments."

The amendment to the main motion was approved by the following vote:

Aye: Butler, Burk, Dunn, Hammler, Martinez, Wright and Mayor Umstatted

Nay: None

Vote: 7-0

Council Member Butler offered an amendment to the main motion to amend #20 of the matrix to revert to the current Town Plan to read, "Land fronting on the eastern side of Sycolin Road between the Rt. 15 Bypass and the planned Battlefield Parkway is appropriate for development consistent with low density residential land use category as shown on the Land Use Policy Map (see the Land Use Map...) and as an option uses consistent with the Community Office Land Use category may be considered if (a) appropriate buffer is provided for adjacent residential development, (b) substantial consolidation of the parcels is achieved and development is coordinated with existing uses and (c) access is aligned with Hope Parkway and coordinated with other access points on Sycolin Road." The motion to amend was seconded by Mayor Umstattd.

The amendment to the main motion failed by the following vote:

Aye: Butler and Mayor Umstattd

Nay: Burk, Dunn, Hammler, Martinez, and Wright

Vote: 2-5

Council Member Hammler offered an amendment to E, an additional sentence to read, "Up to 4% accommodation may be considered for the office use category for additional restaurant uses". The motion was seconded by Council Member Butler.

The amendment to the main motion was approved by the following vote:

Aye: Burk, Butler, Dunn, Hammler, Martinez, Wright and Mayor Umstattd

Nay: None

Vote: 7-0

Mayor Umstattd offered an amendment to reduce the commercial element of Community Commercial to 150,000 square feet. The motion to amend was seconded by Council Member Butler.

The amendment to the main motion failed by the following vote:

Aye: Dunn and Mayor Umstattd

Nay: Burk, Butler, Hammler, Martinez, and Wright

Vote: 2-5

The main motion was approved by the following vote:

Aye: Burk, Butler, Dunn, Hammler, Martinez, and Wright

Nay: Mayor Umstattd

Vote: 6-1

b. Wall Mural/Town Garage

On a motion by Council Member Burk, seconded by Council Member Martinez, the following was proposed:

MOTION 2012-015

I move that the Town Council refer the idea of a mural on the Loudoun Street side of the Town Parking Garage to the Commission on Public Art for review and

development of a detailed recommendation to report back to the Town Council by August 28, 2012

Council Member Hammler offered an amendment to add the word "temporary" to the motion. The amendment was seconded by Council Member Dunn.

The motion to amend failed by the following vote:

Aye: Dunn, Hammler and Mayor Umstatt

Nay: Burk, Butler, Martinez, and Wright

Vote: 4-3

Council Member Dunn offered an amendment to add "no town funds to be allocated towards this project". The amendment was accepted as friendly.

Council Member Butler offered an amendment to allow up to \$2,000 in town funds to be used for this project. The motion failed for lack of a second.

The amended motion was approved by the following vote:

Aye: Burk, Dunn, Martinez and Mayor Umstatt

Nay: Butler, Hammler, and Wright

Vote: 4-3

12. ORDINANCES

a. None.

13. UNFINISHED BUSINESS

a. None.

14. NEW BUSINESS

a. None.

15. COUNCIL COMMENTS

Council Member Dunn: Disclosed a phone call from Peter Kalaris.

Council Member Burk: Thanked the Tree Commission volunteers for the work they did at the Flower and Garden Show. She stated she is glad to see the Miller Drive connection will be completed.

Council Member Hammler: Disclosed a call from Peter Kalaris. She requested the involvement of the town in the County courthouse project be formal. She thanked Council Members Burk and Martinez for covering the Balch and Technology commission meetings. She stated she and Council Member Burk will be speaking with Supervisor Higgins regarding Raspberry Falls. She stated they will also be discussing some of the rail issues that have been outlined in the town's resolution of support as well as the Hunter-Dowdy property development. She congratulated everyone for the success of Law Camp. She offered condolences to the Apex community on the passing of Marty Newsome.

Council Member Butler: Stated participating in Law Camp was fun. He stated he had some examples of public art murals from other jurisdictions and expressed disappointment that there is not more support public art.

16. MAYOR'S COMMENTS

No comments.

17. MANAGER'S COMMENTS

No comments.

Town Attorney, Jeannette Irby, thanked Council for their support of Law Camp and use of town facilities for training of the Law Camp participants.

18. CLOSED SESSION

None.

19. ADJOURNMENT

On a motion by Council Member Martinez, seconded by Mayor Umstatted, the meeting was adjourned at 9:51 p.m.

Kristen C. Umstatted, Mayor
Town of Leesburg

ATTEST:

Clerk of Council
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Council Chambers, 25 West Market Street, 7:30 p.m. Mayor Kristen C. Umstattd presiding.

Council Members Present: David S. Butler, Thomas Dunn, Katie Sheldon Hammler, Kelly Burk, Marty Martinez, Kevin Wright and Mayor Umstattd:

Council Members Absent: None.

Staff Present: Town Manager John Wells, Town Attorney Jeanette Irby, Director of Public Works Tom Mason, Director of Planning and Zoning Susan Berry Hill, Director of Utilities Amy Wyks, Deputy Director of Utilities Aref Etemadi, Director of Finance Norm Butts and Clerk of Council Lee Ann Green

AGENDA

ITEMS

1. Work Session Items for Discussion

a. Annual Street Resurfacing Program

Tom Mason gave a summary of the currently proposed program

Summary of Key points (Rt. 7 Climbing Lane):

- Streets were selected based on evaluation /19 point inspection
- Budget is set at \$750,000 for milling and paving
- Budget is set at \$100,000 for concrete repairs and handicap ramps
- Contract with F. O. Day and the contract has been re-bid with bids coming in tomorrow
- Action on this item will occur after the contract is awarded

Council Comments/Questions:

- Can town employees be used to seal cracks?
Staff answer: It can be considered. Economy of scale sometimes allows the vendor to do it more economically than the town.
- Is it cost effective to only pave parts of certain roads, rather than the entire road?

Staff answer: Coordination with Capital Projects creates the need to fill in the gaps

b. Raspberry Falls Update

John Wells updated the Council on the status of the request by the Raspberry Falls Homeowners for the town to provide them with water.

_____, of Loudoun Water, gave additional information.

Summary of key points:

- Community is currently served by two wells.
- Emergency interconnect system with Selma is in place as an emergency back up, not a supplementary supply

- Would like confirmation that the pipeline option is still available.

Council Comments/Questions:

- Will wholesale rate on water be profitable for Leesburg?
Staff answer: It would depend on a lot of variables
- Is membrane system the best practice for treating well water?
Loudoun Water answer: It is a proven technology and has been used elsewhere in Virginia successfully.
- Who will pay for the pipeline?
Loudoun Water answer: the users would pay for the pipeline.
- What will happen if all Raspberry Falls owners do not wish to be connected?
Loudoun Water answer: If the treatment system is installed, then all existing and future customers will have to be connected. If the wells are replaced by pipeline, all customers have to be connected.
- If the town cannot guarantee quality, quantity or pressure, does that leave the town open to legal ramifications?
Loudoun Water answer: Loudoun Water does not seek guarantees, but would like to have standards in place. Failure to meet contractual obligations would have to be written into the contract.
- Is there adequate capacity within the wells in Raspberry to meet the current needs?
Loudoun Water answer: There is. What we would likely do is bring the Goudy well back on line because it would be acceptable under all standards with membrane treatment in place. The three wells would be more than sufficient to meet the demand for water in the community.
- Well failure is common in Karst ground types.
- Study is intended to answer which is the most viable long term option for Raspberry Falls
- The town is guaranteed to make money
- Pipeline could be sized to only provide water for the Raspberry Falls/Selma Estates properties to control development
Staff answer: Limiting the size of the pipe does not necessarily limit the development
- When will the town run out of capacity?
Staff answer: Based on current projections, the town will have enough capacity to service build out.
- What types of water saving measures can be instituted to make capacity last longer?
Staff answer: Water restrictions cannot be put into place to save capacity, but only if drought conditions exist.
- What are the state requirements for excess capacity?
Staff answer: The plants have to be able to supply/handle the maximum daily load. Emergency demands are handled by the storage tanks, as required by regulations. When you hit 80% of capacity, you

have to start design, at 85-90% you have to be actively under construction. Full build out of currently zoned vacant property would put the town at or near capacity.

- Inclusion of numbers from Form Based zoning increases capacity to the point where it will need to be addressed.
- Limitation to a cost or wholesale rate decrease financial feasibility for the town
- Membrane system is least expensive system to guarantee quantity and quality of water

It was noted that a resolution would be brought to Council on Tuesday night for consideration.

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c. URAC Rate Consultant RFP

John Wells stated the URAC has been working on the scope of work for a rate study and has transmitted their recommendation to Council. No action is necessary at this time.

Council Comments:

- Prior to engaging a consultant discuss whether scope of work is what Council wants

d. Annexation Briefing

John Wells stated this item is to reacquaint Council with the issue of annexation.

Jeanette Irby gave a brief overview of the legal aspects of annexation:

- Process is described by statute
- Need to start with some idea of what areas are considered for annexation and the reasons why
- If population increases more than 5%, there will need to be another election
- Estimated timeline published by the Local Government Attorney's is 13-18 months
- Voluntary settlement agreement with the County would save time and money
- Outside counsel would be necessary

Council Comments:

- Issue of water rates put the annexation discussion on hold
- Possibility of boundary line adjustment
- Can we include properties that have requested annexation?
Staff answer: 51% of an area have to desire inclusion
- Possibility of including O'Connor Property and Morven Park

- Can roads in annexation area be grandfathered to acceptance into the town system?
Staff answer: Only if they meet town standards. They must be contiguous.
- Is fiscal impact report for the various areas ready?
Staff answer: Should be available after the August break

2. **Additions to Future Council Meetings**

- a. John Wells distributed the Council priorities list that was distributed to Council 12 months ago amended to show which projects have been completed. He stated he would be scheduling this year's priorities as well. He noted four out of six major CIP projects scheduled for completion last year have been completed. He distributed an additional list of projects to be completed in the coming year.
- b. Vice Mayor Wright asked for a discussion regarding the Sycolin Road closure including changes in wayfinding signage.
- c. Mayor Umstadd stated there is an issue with utility repairs by property owners. She stated the Journey through Hallowed Ground will be requesting a \$5,000 contribution from Leesburg on an annual basis to support their marketing of the town.
- d. Council Member Dunn questioned whether employees are being hired to replace those whose positions were eliminated as a result of reductions in force. He asked for more details with regards to the Loudoun Symphony request

3. **Adjournment**

On a motion by Vice Mayor Wright, seconded by Council Member Dunn, the meeting was adjourned at 10:11 p.m.

Clerk of Council

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