

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

Council Members Present: Thomas Dunn, David Butler, Kevin Wright and Mayor Umstattd.

Council Members Absent: Council Member Dunn arrived at 7:42 p.m. Council Members Burk, Hammler and Martinez were absent.

Staff Present: Town Manager John Wells, Deputy Town Attorney Barbara Notar, Director of Public Works Tom Mason, Director of Planning and Zoning Susan Berry Hill, Research and Communications Manager Betsy Fields, Transportation Engineer Calvin Grow and Clerk of Council Lee Ann Green

AGENDA

ITEMS

1. **Work Session Items for Discussion**

a. **SRTC Update**

Liz Whiting, Chair of the Standing Residential Traffic Committee (SRTC), gave a presentation on several items that had been referred to the SRTC. Committee members Sandy Grossman and Sandra Kane were also present.

Add-on fee of \$200 for speeding in residential neighborhoods:

- Requisite study to show speeding problem of greater than 31 mph
- Continues to have excessive speeds after institution of an enforcement regimen
- Triggers automatic public hearing on proposal for higher fines

Raised Crosswalk at 336 Deerpath Avenue (near Foxridge Pool)

- Peak hourly foot traffic of 5 pedestrians, total of 14 during study period
- Does not meet criteria for raised crosswalks
- Follow-up with Homeowner's Association

Truck Traffic on Catoctin Circle

- Launch of formal studies
- Possibility of enhancing lighting
- Recommendation to start the process of banning truck traffic

Yield to Pedestrian Signs at W&OD Trail

- Test sites for signs at crossings at Dry Mill Road and Catoctin Circle
- Recommendation to add to other crossings
- Removal during winter season

Policy for One-Way traffic requests

- Working on the policy

Traffic Management Plan

- Working on this a piece at a time.
- Working on a ranking process for traffic calming requests
- Recommendation for Council to adopt a numerical ranking process

Traffic Signal at Battlefield Parkway and Plaza Street

- School system expects a sizeable drop in student numbers at Tuscarora High School
- Council asked for a breakdown of the student numbers
- Traffic is only a problem during rush hour and during school arrival/dismissal times
- Plaza is the right location for a light for a variety of community needs
- Movement in the community to shift traffic light from Catoctin and Edwards Ferry to Battlefield and Plaza

b. Bypass/Edwards Ferry Road Issues – Schedule/Funding/Pedestrian Issues/Crosswalks

Renee Lafollette introduced Farid Bigdeli from Virginia Department of Transportation to answer questions about the Edwards Ferry Road/Bypass intersection.

- Staff does not recommend a pedestrian crossing at this intersection
- Staff recommends the addition of another Safe-T-Ride bus to cut the wait time down to 15 minutes
- Mr. Bigdeli announced that the project has been added to the VDOT Six-Year Improvement Program
- Design to approval estimated cost is \$3.5-7 million
- Construction is estimated between \$40-50 million
- Projects with completed designs are funded first when funding becomes available
- This is the biggest transportation issue in town
- Should not do anything that sends the false message that it is safe for pedestrians to cross

c. Annexation Follow-up

Betsy Fields introduced Julie Burns from Tischler-Bice, who reviewed the Fiscal Impact Analysis of annexation areas.

- A full analysis was done in 2007 and this builds upon that model
- Four scenarios were reviewed – no annexation, area A, area B, areas A and B
- Triggers for new public facilities are based on assumptions of current growth patterns and growth patterns in annexation areas A and B
- There will be sufficient revenues to cover both capital and operating costs if no annexation occurs

- Capital costs reflect about 25-30% of total cumulative costs of operating.
- Road capital costs comprise about three quarters of the capital costs.
- Other local taxes including BPOL, are significant revenue sources for Scenario A and B due to non-residential growth in the town and annexation area
- In an effort to be conservative, assumptions include residential units at Tuscarora Crossing.
- Not all properties in a specific area would be included, i.e. Bolen Park
- Model can be updated if use changes on a specific parcel
- Further calculations will need to be done as to affect on utility rates since out of town customers will technically become in town customers
- Council will need to reaffirm areas to be considered for annexation before the next Annexation Area Development Policy committee meeting

Council Comments/Questions:

- Current and proposed rezoning applications before the Board of Supervisors to convert commercial/industrial zoned properties to residential could potentially undermine the assumption of a commercial or business base
- No current conditions exist that would preclude annexation by Boundary Line Adjustment (BLA)
- Would River Creek residents be amenable to annexation?
- Crosstrail would be more beneficial as commercial, if annexed, than residential
- Resident costs would be determined by how town services affect HOA charges
- Population growth of 25% does not translate into 25% greater costs for public safety
- Some residents in the annexation area may already be utilizing town services such as Ida Lee recreation center
- Keeping Crosstrail non-residential keeps pressure off the airport.

d. County Courts Discussion

John Wells updated the Council on the County Courts Complex.

- Board of Supervisors is looking at expanding the Courts system
- Consideration for moving the entire Courts system outside the town limits to their property off Sycolin Road
- Finance Committee will be discussing on October 22 and asking for stakeholder input on options
- Council has previously indicated they could not support the closing of Church Street

- County staff will be at the October 9th Council meeting to answer questions

e. Tuscarora Crossing Referral to Loudoun County

Susan Berry Hill stated the town has received a referral request from the County to provide comments on a rezoning application.

- Property known as “Hunter-Dowty”
- Located within the Leesburg Joint Land Management Area (JLMA)
- Comprises of 250 acres
- Proposal for 797 residential units – 453 SFD, 344 SFA
- Rezoning from PD-GI (Planned General Industrial District) to PD-H4 (Planned Residential District) to be administered under the R8 provisions.
- Proposal extends Crosstrail Boulevard through the property across Tuscarora Creek
- Statement of Justification is vague but does note that the applicant is willing to build the creek crossing
- Review comments are due back to the County by October 16 – direction is requested
- Draft referral will be brought back at October 9 Council meeting for further comments on the town’s position
- Response could be delayed until after annexation discussions have been started

Council Comments/Questions:

- Important not to delay feedback – respect process that is in place

2. Additions to Future Council Meetings

Mr. Wells noted that for the remainder of the calendar year, only one work session is scheduled per month due to Federal Holidays and the winter break.

3. Closed Session

None.

4. Adjournment

On a motion by Vice Mayor Wright, seconded by Council Member Butler, the meeting was adjourned at 10:02 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, Thomas S. Dunn, Katie Sheldon Hammler, Kevin Wright and Mayor Umstattd.

Council Members Absent: Council Members Burk and Martinez were absent.

Staff Present: Town Manager John Wells, Deputy Town Attorney Barbara Notar, Deputy Town Manager Kaj Dentler, Director of Utilities Amy Wyks, Director of Economic Development Marantha Edwards, Airport Manager Scott Coffman, Assistant Director of Finance Bob Berkey and Clerk of Council Lee Ann Green

AGENDA ITEMS

1. **CALL TO ORDER**

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

3. **SALUTE TO THE FLAG:** Mayor Kristen Umstattd

4. **ROLL CALL:** Showing Council Members Kelly Burk and Marty Martinez absent.

5. **MINUTES**

a. Regular Session Minutes of September 11, 2012

On a motion by Council Member Butler, seconded by Vice Mayor Kevin Wright, the minutes of the Regular Session meeting of September 11, 2012 were approved by a vote of 5-0-2 (Burk / Martinez absent).

6. **ADOPTING THE MEETING AGENDA**

On the motion of Vice Mayor Wright, seconded by Council Member Butler, the meeting agenda was approved after moving agenda item 11 a to the Consent Agenda by the following vote:

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

Nay: None

Vote: 5-0-2 (Burk / Martinez absent)

7. **PRESENTATIONS**

a. Farm to Fork Update

Miriam Nasuti gave an update on the Loudoun County Farm to Fork program which is a cooperative endeavor between local farmers and restaurateurs. She introduced the owners of King Pinz and Aiyara Thai, who are both participants in the program. She noted that participating restaurants agree to include 70% local products in their menus.

8. PETITIONERS

The Petitioner's Section was opened at 7:47 p.m. There being no citizens wishing to speak, the Petitioner's Section was closed at 7:47 p.m.

9. APPROVAL OF THE CONSENT AGENDA

On a motion by Vice Mayor Wright, seconded by Council Member Butler, the following item was moved for approval as part of the Consent Agenda:

a. FBO Lease Reassignment at Leesburg Executive Airport***RESOLUTION 2012-107***

Assignment of Fixed Base Operator Lease at Leesburg Executive Airport from Landmark Aviation to ProJet Aviation

The Consent Agenda was approved by the following vote:

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

Nay: None

Vote: 5-0-2 (Burk/Martinez absent)

10. PUBLIC HEARING**a. Amending the FY 2013 General Fund Budget and Making a Supplemental Appropriation for the Capital Asset Replacement Fund**

Bob Berkey stated the request is provide funding for replacement of vehicles and heavy equipment as well as replace the non-public safety radio system, repave the Public Works facility parking lot, replace the fleet maintenance vehicle lift, replace HVAC systems at Town Hall and Ida Lee Recreation Center, lighting and ceiling tiles in Ida Lee Recreation Center, and replace and upgrade the IT server infrastructure.

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

Council Comments/Questions:

- What vehicles are being replaced and what is their average age?
Staff answer: Most vehicles are for the Police Department and Public Works. The heavy equipment is for the streets department for mowing and removal of trash. Average age is 10 years for vehicles.
- HVAC systems?
Staff answer: Replacement of original building equipment – 22 years for Town Hall.
- Can repaving the parking lot be put off?
Staff answer: The cracks have been sealed in the past, but further degradation will result in higher cost for repaving.
- Use of more contractual services would reduce maintenance and insurance of equipment.

The public hearing was closed at 7:53 p.m.

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

RESOLUTION 2012-107

Amending the FY 2013 General Fund Budget and Making a Supplemental Appropriation in the Amount of \$1,852,000 for the Replacement of Capital Assets

The motion was approved by the following vote:

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

Nay: None

Vote: 5-0-2 (Burk/Martinez absent)

b. Amending Chapter 34 (Utilities) regarding Cross Connection and Backflow Prevention Control Program

Amy Wyks gave a presentation on the request to amend the Town Code. She stated when the Cross Connection and Backflow Prevention Control Program was adopted in 2009, the \$20 charge for resumption of service after disconnection for violation was inadvertently left out of the Town Code. Further she stated the charge should have been re-set by Council action, but has not been accomplished.

Council Comments/Questions:

- Why is the Cross Connection and Backflow Prevention Control program important?

Staff answer: Required by the State of Virginia because contaminants can be drawn back into the water system from individual user locations.

- Why make the fee \$30?

Staff answer: Consistency with the resumption of service fee for those who have their water shut off for nonpayment.

- Who is required to comply?

Staff answer: Those residential customers who have fire sprinkler systems (normally four story townhomes) or irrigation systems and commercial restaurant customers.

- When is administration of the Cross Connection and Backflow Prevention program scheduled to be reviewed by Council?

Staff answer: It is on the agenda for the October 22 as an information memo and discussion scheduled for November 26.

Council Member Dunn made a motion to postpone this item until the meeting of October 22. The motion was seconded by Council Member Butler.

The motion to postpone was approved by the following vote:

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

Nay: None

Vote: 5-0-2 (Burk/Martinez absent)

11. RESOLUTIONS AND MOTIONS

a. None.

12. ORDINANCES

a. None.

13. UNFINISHED BUSINESS

a. None.

14. NEW BUSINESS

a. None.

15. COUNCIL COMMENTS

Vice Mayor Wright: Reminded everyone about the food collection at the Shred Event at Loudoun County High School on Saturday. He encouraged everyone to attend the Leesburg Airshow.

Council Member Hammler: noted that she had been re-elected as Chair of the Towns Committee of Virginia Municipal League (VML). She stated she attended the VML Conference in Williamsburg. She also noted that the Retail Forum was excellent.

Council Member Butler: stated he attended the last part of the 1812 Symphony concert. Further, he noted the Paragon Arts Festival was a great success. He encouraged everyone to visit Art in the Village at Village at Leesburg.

16. MAYOR'S COMMENTS

Mayor Umstatt thanked the Loudoun Symphony Orchestra and the Journey Through Hallowed Ground for their work on the 1812 Concert at Ida Lee Park. She stated it was an excellent event and she was impressed by the sound quality.

17. MANAGER'S COMMENTS

John Wells noted that the free document shredding event is being held at Loudoun County High School, not Heritage High School. He reviewed some of the scheduled acts and features for the Leesburg Airshow. Further, he noted that there will only be one work session per month due to Federal holidays and the winter break through the middle of January.

18. CLOSED SESSION

a. None.

19. ADJOURNMENT

On a motion by Vice Mayor Wright, seconded by Council Member Butler, the meeting was adjourned at 8:21 p.m.

Kristen C. Umstattd, Mayor
Town of Leesburg

ATTEST:

Clerk of Council
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