

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

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

Council Members Absent: Marty Martinez. Council Member Dunn arrived at 7:39 p.m.

Staff Present: Town Manager John Wells, Town Attorney Jeanette Irby, Deputy Town Manager Kaj Dentler, Director of Parks and Recreation Rich Williams, Chief of Police Joseph Price, Parks and Public Space Planner William Ference, Environmental Planner James “Irish” Grandfield, Director of Finance Norm Butts and Clerk of Council Lee Ann Green

AGENDA

ITEMS

1. CALL TO ORDER

2. INVOCATION: Mayor Umstattd

3. SALUTE TO THE FLAG: Council Member Hammler

4. ROLL CALL: Showing Council Member Martinez absent. Council Member Dunn arrived at 7:39 p.m.

5. MINUTES

a. Regular Session Minutes of July 9, 2013

On a motion by Council Member Burk, seconded by Vice Mayor Butler, the minutes of the regular session meeting of July 9, 2013 were approved by a vote of 5-0-2 (Dunn/Martinez absent).

b. Work Session Minutes of July 22, 2013

On a motion by Vice Mayor Butler, seconded by Council Member Wright, the minutes of the work session meeting of July 22, 2013 were approved by a vote of 5-0-2 (Dunn/Martinez absent).

c. Regular Session Minutes of July 23, 2013

On a motion by Council Member Hammler, seconded by Vice Mayor Butler, the minutes of the regular session of July 23, 2013 were approved by a vote of 5-0-2 (Dunn/Martinez absent).

6. ADOPTING THE MEETING AGENDA

On the motion of Vice Mayor Butler, seconded by Council Member Wright, the meeting agenda was approved with the addition of the appointment of a commissioner to the Commission on Public Art, a fee waiver for Mainstreet Agriculture and adding item 11a to the Consent Agenda by the following vote:

Aye: Burk, Butler, Dunn, Hammler, Wright and Mayor Umstatt
Nay: None
Vote: 6-0-1 (Martinez absent)

7. PRESENTATIONS

a. Proclamation – National Payroll Week

On a motion by Council Member Hammler, seconded by Vice Mayor Butler, the following was proclaimed:

PROCLAMATION

National Payroll Week *September 2-6, 2013*

WHEREAS, the American Payroll Association and its 23,000 members have launched a nationwide public awareness campaign that pays tribute to the more than 156 million people who work in the United States and the payroll professionals who support the American system by paying wages, reporting worker earnings and withholding federal employment taxes; and

WHEREAS, payroll professionals in Leesburg, Virginia play a key role in maintaining the economic health of Leesburg, Virginia, carrying out such diverse tasks as paying into the unemployment insurance system, providing information for child support enforcement, and carrying out tax withholding, reporting and depositing; and

WHEREAS, payroll departments collectively spend more than \$15 billion annually complying with myriad federal and state wage and tax laws; and Whereas payroll professionals play an increasingly important role ensuring the economic security of American families by helping to identify noncustodial parents and making sure they comply with their child support mandates; and

WHEREAS, payroll professionals have become increasingly proactive in educating both the business community and the public at large about the payroll tax withholding systems; and

WHEREAS, payroll professionals meet regularly with federal and state tax officials to discuss both improving compliance with government procedures and how compliance can be achieved at less cost to both government and businesses; and

THEREFORE PROCLAIMED by the Council of the Town of Leesburg in Virginia that the week in which Labor Day falls is National Payroll Week in

the Town of Leesburg and the Council gives additional support to the efforts of the people who work in Leesburg, Virginia and of the payroll profession.

PROCLAIMED this 13th day of August, 2013.

b. Board of Architectural Review Annual Report

Richard Koochagian, Chair of the Board of Architectural Review (BAR), gave a brief summary of the Board's activities for the past year. He stated that the BAR has had a very active year with the change in staff liaison, a new chair person, and the largest application ever reviewed by the BAR – Courthouse Square.

c. Proclamation – Day to Serve

On a motion by Council Member Hammler, seconded by Vice Mayor Butler, the following was proclaimed:

PROCLAMATION

Day to Serve *September 15-29, 2013*

WHEREAS, the governors of Virginia, Maryland and West Virginia and the mayor of Washington, D.C., have come together to support “Day to Serve”; and

WHEREAS, “Day to Serve” is a unique event that has inspired a diverse group of people of our larger region to set aside political, religious and cultural differences to strengthen our collective communities by coming together to “feed the hungry, protect and enhance the environment, as well as strengthening our communities”; and

WHEREAS, the governor of Virginia has issued a proclamation encouraging all citizens of Virginia to participate in a Day of Service between September 15-29, 2013; and

WHEREAS, since the inaugural “Day to Serve” in 2012, this remarkable and unprecedented event swept from the state capital to local churches, schools, neighborhoods and families and resulted in over 750 community events with more than 14,000 volunteers, culminating in 26,000 hours of service rendered, resulting in over 600,000 pounds of food being donated to local food banks; and

WHEREAS, these events also helped to improve the environment through planting trees, cleaning up parks and streams, and “adopt a road” campaigns; and

WHEREAS, the governor of Virginia has requested Virginians redouble their efforts for 2013.

THEREFORE PROCLAIMED by the Council of the Town of Leesburg in Virginia that all citizens, faith based organizations, and community organizations of Leesburg should participate in a “Day to Serve” as a way to strengthen our community and improve the quality of life for all.

PROCLAIMED this 13th day of August, 2013.

8. PETITIONERS

The Petitioner’s Section was opened at 8:00 p.m.

Christopher Hatch, 19440 Dunlop Mill Road, addressed Council regarding Loudoun’s Main Street Agriculture event to be held September 21 on Loudoun Street between King and Wirt. He requested a waiver of the \$450 sign fee for the event signs at the entrances to town.

Lynn Mischler, stated she is the owner of the Other Kind of Jewelry Store at 14 S. King Street. She stated her concern with the project to widen the sidewalks. She stated this is not in keeping with the historic aspect of the downtown.

Richard Gallagher, 15 N. King St., stated he owns and operates a business in downtown Leesburg. He stated he was shocked to hear that the on-street parking will be removed. He stated his clients do not like to come downtown because of the parking. He asked Council to reconsider their decision regarding the sidewalks.

Kobby Okynn, stated he runs the Edward Jones office next to Lightfoot Restaurant on N. King Street. He stated one of the biggest hurdles in getting clientele is the parking concerns of the downtown. He stated a lot of his clients are elderly and cannot walk all the way from the parking garage to his business. He requested that Council reconsider their decision regarding the on-street parking. He stated if the goal is to maintain a diverse variety of businesses downtown, parking should be a consideration.

The Petitioner’s Section was closed at 8:11 p.m.

9. APPROVAL OF THE CONSENT AGENDA

On a motion by Vice Mayor Butler, seconded by Council Member Burk, the following items were moved for approval as the Consent Agenda:

- a. *Sister City Relationship – St. Cyr sur Loire*

RESOLUTION 2013-093

Authorizing the Town Manager to Initiate a Sister City Relationship with Saint Cyr sur Loire, France

- b. Sycolin Road Widening, Phase III – Mitigation Credits Contract Award

RESOLUTION 2013-094

Awarding Purchase of Sycolin Road Widening Phase III Stream and Wetlands Mitigation Bank Credits to Loudoun County Wetlands and Stream Restoration, L.C. in the Amount of \$100,554.86.

- c. Annual Milling and Paving Program

RESOLUTION 2013-095

FY 2014 Annual Program for Street Milling, Resurfacing, Concrete Repairs and Handicap Ramp Installations

- d. Catoctin Circle Culvert Replacement Contract Award

RESOLUTION 2013-096

Awarding the Contract for the Catoctin Circle Culvert Replacement in the Amount of \$108,833.84

- e. Approval of the Next Town Hall Art Gallery – Approval of the Next Art Exhibit by Doris Kidder

RESOLUTION 2013-097

Town Hall Art Gallery – Approval of the Next Art Exhibit by Doris Kidder

- f. Authorizing the Settlement of Condemnation Litigation with Sycolin Road Condominium Association

RESOLUTION 2013-099

Authorizing Settlement of the Condemnation Action of the Town Council of Leesburg v. Sycolin Road Industrial Condominium, Inc.

- g. Back to School Traffic Safety Initiative

RESOLUTION 2013-098

Endorsing the Leesburg Police Department Traffic Safety Initiative

- h. Making an Appointment to the Commission on Public Art

MOTION 2013-038

I move to appoint Minu Beijan to the Commission on Public Art for a term expiring December 31, 2016

The Consent Agenda was approved by the following vote:

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

Nay: None

Vote: 6-0-1 (Martinez absent)

10. PUBLIC HEARINGSa. Appeal to town Council – Comprehensive Sign Plan Amendment for Battlefield Shopping Center

The appeal was opened at 8:19 p.m.

Tracey Shifflet, Assistant Zoning Administrator, gave a brief summary of the appeal of the denial of TLHP 2013-0090 by the Administrative Sign Review Panel on June 21, 2013.

Key Points:

- Battlefield Shopping Center’s Comprehensive Sign Plan was adopted in 1991
- Sign Plan includes red channel letters
- Prior modifications occurred 2002 and 2006
- Purpose of comprehensive sign plans are to provide unified signage compatible with the architecture of multi-tenant developments
- Administrative Sign Review Panel can approve modifications
- Applicant is requesting to be allowed to use his corporate logo as part of his sign

Molly Novotny with Cooley Goddard, represented the appellant.

Appellant Points:

- Would like to focus attention on the Whichwich sign
- Amendment in 2002 allowed corporate logos
- Compromise suggestions have not been accepted

Council Comments/Questions:

- Staff acknowledges portions of the sign as a logo, but not the entire sign
- Proposed resolution calls for continued outreach to the community.
- How did Starbucks get the green and white sign?

Staff answer: Logo circular sign was approved, but the white lettering on the awning was erected without permit

- If Council considers the entire sign to be a logo, there is no need for the denial or the appeal

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

The appeal hearing was closed at 8:37 p.m.

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

MOTION 2013-036

Based on good planning practice and to facilitate the creation of a convenient, attractive and harmonious community, I move to reverse the decision of the Administrative Panel in the case TLHP 2013-0090, rendered on June 21, 2013 by declaring the proposed sign to be a corporate logo.

Council Comments:

- All elements of the sign contribute to the logo
- Allow businesses outside the historic district to choose their signage
- Be proactive in helping businesses with signage
- Comprehensive sign plan is outdated

The motion was approved by the following vote:

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

Nay: None

Vote: 6-0-1 (Martinez absent)

11. RESOLUTIONS AND MOTIONS

- a. Authorizing Town Staff to proceed with the sale of public land rights to Loudoun Water

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

RESOLUTION 2013-100

Authorizing the Conveyance of Real Property to Loudoun Water and Execution of a Purchase and Sale Agreement by the Town Manager

Council Comments/Questions:

- This was discussed by Council and this is an equitable solution
- Gives the town the ability to withdraw water from the reservoir in case of emergency
- Concern that the town could have negotiated better terms

The motion was approved by the following vote:

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

Nay: Dunn

Vote: 6-1-1 (Martinez absent)

12. ORDINANCES

- a. None.

13. UNFINISHED BUSINESS

- a. None.

14. NEW BUSINESS

- a. Fee Waiver for Main Street Agriculture

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

MOTION 2013-037

I move to waive the \$450 entry sign fee for Mainstreet Agriculture Program

Council Comments:

- Intent is to bring awareness that farming is still part of Loudoun County
- Event is free to the public
- Does not cost the town anything
- Eating local is healthy and good for the environment

The motion was approved by the following vote:

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

Nay: Dunn

Vote: 6-1-1 (Martinez absent)

15. COUNCIL COMMENTS

Vice Mayor Butler disclosed conversations with representatives of Lowe's. He stated he also talked with representatives of Shoe's Cup and Cork. He thanked Council for allowing him to participate in the last Council meeting electronically. He stated someone has proposed building a transportation tube between Los Angeles and San Francisco and that a similar tube has been proposed to traverse the country.

Council Member Burk stated she and the Mayor visited the Homeless Shelter, which was very impressive. She noted she attended the ribbon cutting for Big Lots in Leesburg, National Night Out at Catoctin Elementary School and the community meeting called by School Board member Debbie Rose concerning the bus route changes. She stated she agrees that some students can walk to school, but others have safety issues. She thanked Council for their work on the letter to the School Board supporting Ms. Weiss' appeal. She stated that Acoustics on the Green this week was phenomenal. She stated the land sale to Loudoun Water is significant in that it has provided an alternative source of water for the town. She reminded everyone that there is a world class fitness center at Ida Lee which includes a gym, pools, racquetball court, and lots of free classes and instructors.

Council Member Hammler noted that First Friday was wonderful. She stated the police have been very proactive asking residents to be on the lookout for vandals and vandalism particularly at Robinson Park. She urged citizens to alert the police to any suspicious activity. She stated she is excited about the Sister City in France as it is a great opportunity to involve high school French classes and students getting to know another culture. She noted she attended the VML executive committee meeting. She wished everyone a great summer break. She wished Council Member Wright a happy birthday.

Council Member Wright stated that the approval of the Traffic Safety Initiative by the Leesburg Police Department is very timely and will help remind everyone to be

more aware of their driving habits. He stated he enjoyed National Night Out. He congratulated everyone on Council and staff for winning the VML Award for Long Range Sustainability in Fiscal Planning.

16. MAYOR'S COMMENTS

Mayor Umstatttd thanked Vice Mayor Butler for attending the School Board meeting and speaking on behalf of Council in support of Ms. Weiss' appeal and in support of delaying changes in the walk zones for a year. She stated the Police department went above and beyond for the National Night Out. She thanked the sponsoring businesses, specifically Target. She the award for Long Range Financial Planning was the result of a lot of restraint on the part of the Council from spending. She stated the town would not have gotten the award without the teamwork that exists between staff and Council. She noted that the town ranked within the top 50 of places to live in the CNN Money list.

17. MANAGER'S COMMENTS

Mr. Wells stated that teamwork was required for long range budget sustainability and is not done by many local governments. He stated that Council deserves credit for making that standard practice for the town.

18. CLOSED SESSION

None.

19. ADJOURNMENT

On a motion by Council Member Wright, seconded by Council Member Burk, the meeting was adjourned at 9:08 p.m.

Kristen C. Umstatttd, Mayor
Town of Leesburg

ATTEST:

Clerk of Council
2013_tcm0813

Council Chambers, 25 West Market Street, 8:20 p.m. Mayor Kristen C. Umstadd presiding.

Council Members Present: Kelly Burk, David Butler, Thomas Dunn, Katie Sheldon Hammler, Kevin Wright and Mayor Umstadd.

Council Members Absent: Council Member Martinez

Staff Present: Town Manager John Wells, Town Attorney Jeanette Irby, Deputy Town Manager Kaj Dentler, Capt. Jeff Vangilder, Director of Public Works Tom Mason, Director of Parks and Recreation Rich Williams, Deputy Director of Parks and Recreation Kate Trask and Clerk of Council Lee Ann Green

AGENDA**ITEMS****1. Work Session Items for Discussion**

- a. Morven Park BLA Initiation and Zoning Ordinance Text Amendment
John Wells stated staff is awaiting direction from Council. Scott Parker reviewed the timetable.

Key Points:

- If Council initiates a BLA, further votes and public hearing would be required
- County has directed staff to work on legal requirements for a boundary line adjustment
- Morven Park zoning district would be established prior to BLA
- Public hearings can be advertised jointly
- If a zoning text amendment is not passed, property would become Residential Estate (one unit per three acres)

Council Comments/Questions:

- Is it okay to leave “donut holes”?
Staff answer: O’Connor property would not be a donut hole if Rt. 15 is not taken. Equine Center would be a donut hole if not included.
- Concern about bringing in residential properties
- Limestone Overlay District was put into place to protect water supplies
- Can protective wording from the district be used to protect water supplies?
Staff answer: This can be looked at; however, Morven Park has not indicated they will be constructing a lot of new buildings
- If the town includes Rt. 15 Business, how will that affect the transportation obligations?
Staff Answer: The town would get a proportionate share of any transportation improvements for the Rt. 15 Business/Rt. 15 Bypass interchange

- Does the town have to assume the maintenance of any roads taken into the town?
Staff answer: Any roads not part of the VDOT primary system will become town responsibility. Rt. 7 is part of the primary system.
- How will responsibility for this area affect police staffing?
Staff answer: Would depend on the event being staged at Morven Park – has ranged from one officer to ten officers dependent on the type and size of the event. Staff has recommended making the special events process an ordinance
- Investigate whether a roundabout at White’s Ferry would alleviate some issues.
- What are the numbers for revenues and expenses?
Staff answer: The Sheriff’s department is considerably larger than the town police department and dependent on the size of the events, it may affect staffing needs
- Would like to bring in the Equine Center
- Why not consider adding Raspberry Falls?
- Expenses to the town without benefit
- Large events will impact the town regardless of whether Morven Park is located within the town limits or outside the town limits

b. Virginia Regional Transit Contract (FY 14 – 9 months)

John Wells noted that this item is to approve the interim contract for bus services and the broader conversation is scheduled for the October 21 work session.

Key Points:

- Staff is doing research to find out the relationship between ridership and local businesses.
- Contract will be awarded under emergency procurement procedures
- Fare structure will be discussed in October
- Preview of the results of the county’s studies will be available at the Friday Transportation Committee meeting at the County

Council Comments/Questions:

- Will there be any additional costs to the town?
Staff answer: Not beyond what is already being incurred.
- Add bus funding to the Legislative Agenda

c. Town Plan Action Program (includes H-2 Dialogue) – Planning Commission and Staff Recommendations

Susan Berry Hill stated the Town Plan Action Program is the implementation tool for the Town Plan.

Key Points:

- First developed in 2005 and included 72 items for implementation
- This will implement the 2012 Town Plan Update
- Focuses on 44 items for implementation recommended by the Planning Commission
- Ten items are suggested as priority
- No net loss policy cannot be accommodated under state code provisions – should be removed from consideration
- LID and floodplain projects should be moved into priority

Council Comments/Questions:

- Would like to determine where it is appropriate to have big box retail in Leesburg
- Discussion of areas that have been proffered into the H-2, but do not belong
- Need to discuss H-2, LID and floodplain higher in the priority list

d. Free Public Movies at Ida Lee

Rich Williams stated staff is seeking Council direction.

Key Points:

- Staff recommends an Ida Lee location for reasons of space and parking
- Staff recommends renting the inflatable screen for the first year
- Staff recommends three to four events during the summer
- Staff does not recommend charging admission
- Possible location near the soccer fields to utilize the restroom facilities at the outdoor pool
- Different themes could be utilized
- Plan would be to bring this back as part of the budget

Council Comments/Questions:

- Would have preferred a downtown location
- Could sponsors/vendors be obtained to defray cost to taxpayers?
Staff answer: Yes
- Admission could be charged to out of town residents
- Would like some events to target the teen demographic
- Council consensus was to pursue this event

2. Additions to Future Council Meetings

Council Member Burk requested the addition of a resolution to appoint a new commissioner to the Environmental Advisory Commission at tomorrow night's meeting. Would like an improvement of the signage in the parking garage to let people know they can park in the lower levels in the evenings.

Council Member Martinez requested an update on steps being taken to improve safety at the schools, particularly those in the Tuscarora High School area. Would like to make Rt. 15 Business 25 mph. to the town limits.

Council Member Wright requested a vote to initiate a text amendment for single family attached (English townhouse) without minimum lot sizes. Would like signage to let drivers know that they need to merge sooner to take Rt. 15 north of town.

Council Member Hammler requested initiating a solicited PPEA for the Liberty Street lot. She also requested a staff report on the feasibility of a roundabout at the White's Ferry road intersection with Rt. 15 North to alleviate the back up.

Council Member Dunn requested a discussion of an extension of the right turn lane onto Battlefield.

3. Closed Session

a. None.

4. Adjournment

On a motion by Council Member Martinez, seconded by Council Member Burk, the meeting was adjourned at 9:13 p.m.

Clerk of Council

2013_tcwsmin0909

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

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

Council Members Absent: David Butler. Council Member Martinez arrived at 7:38 p.m. Council Member Dunn left at 9:56 p.m.

Staff Present: Town Manager John Wells, Town Attorney Jeanette Irby, Deputy Town Manager Kaj Dentler, Director of Economic Development Marantha Edwards, Director of Public Works Tom Mason, Assistant Town Manager Scott Parker and Clerk of Council Lee Ann Green

AGENDA

ITEMS

1. **CALL TO ORDER**

2. **INVOCATION:** Council Member Hammler

3. **SALUTE TO THE FLAG:** Council Member Wright

4. **ROLL CALL:** Showing Vice Mayor Butler absent. Council Member Martinez arrived at 7:38 p.m.

5. **MINUTES**

a. Special Session Minutes of August 12, 2013

On a motion by Council Member Wright, seconded by Council Member Hammler, the minutes of the special session meeting of August 12, 2013 were approved by a vote of 5-0-2 (Butler/Martinez absent).

b. Work Session Minutes of August 12, 2013

On a motion by Council Member Burk, seconded by Council Member Wright, the minutes of the work session meeting of July 22, 2013 were approved by a vote of 5-0-2 (Butler/Martinez absent).

6. **ADOPTING THE MEETING AGENDA**

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

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

Nay: None

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

7. **PRESENTATIONS**

a. USTMA Presentation from the Mayor of Samcheok

Bob Wilson presented two students that visited the Sister City of Samcheok, South Korea, for a month to study Tae Kwon Do in a Korean dojo. He also presented Mayor Umstattd a gift from the Mayor of Samcheok.

- b. Economic Development Dashboard
Jim Sisley, Chair, and Don Chapman, Vice-Chair, of the Economic Development Commission presented the Economic Development Dashboard to Council. He stated this will be an important tool for Economic Development to present information to the public in a positive way.
- c. Loudoun County Homeless Shelter
Tom Nichols stated he is the Program Director of the Homeless Shelter. He thanked Council for their ongoing support. He reviewed the facilities, programs and clientele.
- d. Tree Commission Annual Report
Tom Seeman presented the 2013 Tree Commission Annual Report recapping the Commission's activities for the past year.

8. **PETITIONERS**

The Petitioner's Section was opened at 7:58 p.m.

Joshua Schwanborg, spoke in favor of Council reviewing the decision on the South King Street Improvements. He stated that removing parking along South King Street would be detrimental to his family's restaurant, China King. He noted that all that money would be spent to achieve only a few months' worth of outdoor dining.

Waily Wang, asked Council to reconsider their decision on the South King Street Improvements. She stated that the loss of parking in front of the China King would damage her business.

Carleton Penn, III, stated he is a native of Leesburg and feels that this improvement plan will lead to the demise of the downtown.

David Ives, 304 Wingate Place, SW, he stated that doing anything to the downtown will cause it to lose its charm. He asked Council to reconsider their decision and not destroy Leesburg's greatest asset.

Tony Virgilio, 20487 Oatlands Chase, stated the town is trading customers who are willing to come downtown for a chance that that more will come because of the widened sidewalks. He stated removing parking will not entice people to come downtown.

Dick Snooks, stated he and his wife cannot walk very far due to health problems. He stated that there are only a few months out of the year where people will want to eat outdoors.

Laura Dutton, 14 ½ South King Street, stated she is a downtown resident. She stated the businesses on the east side of the street will not benefit from these improvements, yet will be affected by the loss of street parking.

Scott Gustavson, 15 N. King Street, stated he is supporting his neighbors on King Street. He stated the downtown works and business is picking up. He stated they like the town like it is.

Koby Okynn, 15 N. King Street, stated the business owners he has spoken to are not happy with the planned improvements. He stated many businesses do not benefit from outdoor dining. He stated if customers know there is no street parking, they will not patronize the downtown businesses. He stated many of the businesses opposed to removal of the parking are restaurants.

Mr. R. Nemetz, 102 Lake View Way, questioned whether a thorough, comprehensive study has been done with regards to fire safety. He questioned whether the cost of moving the storm drain has been figured out. He questioned whether the people of the town can be allowed to vote on this at a general election.

David Moreau, 214 Foxborough Drive, SW, requested that Council reconsider this project as many businesses are against it.

Greg Hudson, 111 Bridgette Place, N.E., stated the amount of money to be spent on this project is shocking. He asked that the money be spent on other projects that will benefit the town. He stated the downtown has appeal.

Debbi Virgilio, 20487 Oatlands Chase, stated she frequents a lot of the shops on King Street and if she cannot get a parking place on the street, she will drive around the block several times. If she still cannot get a parking place on the street, she will go home. She stated she would not sit on the street to eat as it is too close to traffic. She stated the restaurants will suffer. She stated that car insurance rates in Leesburg are higher because crime rates in Leesburg are higher than Arlington.

Sola Palotta, 16 S. King Street, stated that these improvements have been advertised and discussed for several years and the entire downtown will be tied together with the revitalization project. She stated this project includes trees and new lights. She stated the current downtown is not working to attract foot traffic. She listed businesses that have closed in the past few years.

Fabian Saiedi, stated he has lived in Leesburg for over 40 years and the town is safe and the economy is good. He stated those in opposition to the Downtown Improvements should have made their feelings known during the process leading up to the approval. He stated the Council cannot keep changing its mind. He stated there is plenty of parking in the downtown in the garage and on Liberty Street. He stated special interest groups do not want to lose their delivery parking. He offered to find people a parking spot if they cannot find one. He urged Council to go forward with the approved plan.

Lynn Mischler, Other Kind of Jewelry Store, stated the economy was the reason some businesses went out of business. She stated having on-street parking is convenient

for the handicapped and elderly. She questioned why Council would spend so much money to take away what makes the downtown unique.

Jim Sisley, stated he has been working on downtown revitalization for several years. He stated the approved plan will widen the sidewalks, the intersections, add street trees, and new lights. He stated only eight spaces will be removed on S. King Street. He noted that not all the money will be spent on widening the sidewalks – it will be spent to improve the downtown.

Jonathan Keller, stated he is not in support of the improvement plan. He asked Council to reconsider their decision on this plan.

Leah Kozin, 122 Carnaby Way, NE, stated she likes the way Leesburg is already. She stated as a mother, she would like to find parking on King Street because it is difficult to park in the parking garage and transport her children.

The Petitioner's Section was closed at 9:12 p.m.

Mayor Umstatted stated her intention to add this to the October 8 agenda for rescission of Plan A and reconsideration of Plan B.

9. APPROVAL OF THE CONSENT AGENDA

On a motion by Council Member Wright, seconded by Council Member Hammler, the following items were moved for approval as the Consent Agenda:

- a. *Oaklawn at Stratford Rough Grading Plan – Release of the Performance Guarantee*

RESOLUTION 2013-101

Releasing the Performance Guarantee for Oaklawn at Stratford Rough Grading Plan (DPR #04-132-2G)

- b. *Wolf Furniture – Release of the Performance Bond and Acceptance of a Maintenance Bond*

RESOLUTION 2013-102

Accepting the Public Improvements, Releasing the Performance Guarantee and Approving a Maintenance Guarantee for Wolf Furniture (TLPF 2011-0003)

- c. *Lowenbach, Phase IV Outfall – Construction Contract Award*

RESOLUTION 2013-103

Awarding the Construction Contract for the Lowenbach Phase IV – Storm Drainage Improvements Project to Arthur Construction Co., Inc., in the Amount of \$1,299,851.75.

d. Runway Safety Area Grading – Construction Contract Award

RESOLUTION 2013-104

Awarding the Construction Contract for the Airport Runway Safety Area Grading Project and Accepting a Grant from the Virginia Department of Aviation and the Federal Aviation Administration

e. Virginia Regional Transit – FY 2014 Nine Month Contract Award

RESOLUTION 2013-105

Awarding a Contract for Non-Rural Bus Service within and Around the Town of Leesburg

f. Making an Appointment to the Environmental Advisory Commission

MOTION 2013-106

Making an Appointment to the Environmental Advisory Commission

The Consent Agenda was approved by the following vote:

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

Nay: None

Vote: 6-0-1 (Butler absent)

10. PUBLIC HEARINGS

a. None.

11. RESOLUTIONS AND MOTIONS

a. Initiation of Conveyance of Public Property to Loudoun Water

On a motion by Council Member Wright, seconded by Council Member Hammler, the following was proposed:

RESOLUTION 2013-109

To Initiate and Authorize the Execution of a Deed of Subdivision, Conveyance, Easements and Vacation and a Deed of Vacation for Sale of Public Property to Loudoun Water

Council Comments:

- Protects the town's interests
- Would have liked to consider this a long term revenue source

The motion was approved by the following vote:

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

Nay: Dunn

Vote: 4-1-2 (Butler and Martinez absent)

b. Morven Park Boundary Line Adjustment

Scott Parker stated these resolutions direct staff to start work on the project. He noted that there will be ample opportunities for Council to further direct staff.

Former Mayor, BJ Webb, of the Morven Park Board of Trustees, stated that bringing Morven Park into the Town of Leesburg is in the best interests of the town and Morven Park. She stated that the Board is interested in protecting the legacy entrusted to them by the Davis'.

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

RESOLUTION 2013-107

Initiation of a Boundary Line Adjustment; Morven Park and Other Properties

Council Comments:

- Council Member Wright disclosed that former Mayor Webb is his mother.
- There are numerous options to manage any risk that would occur
- Council will examine whether Rt. 15 should be brought into the town
- Very excited about the programs that will be offered
- Potential high price tag for town services with no revenue to be realized
- Do not see any long term gain

The motion was approved by the following vote:

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

Nay: Dunn

Vote: 5-1-1 (Butler absent)

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

RESOLUTION 2013-108

Initiating Amendments to the Leesburg Zoning Ordinance to Establish a New Zoning District for the Morven Park Property

The motion was approved by the following vote:

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

Nay: Dunn

Vote: 5-1-1 (Butler absent)

12. ORDINANCES

a. None.

13. UNFINISHED BUSINESS

a. None.

14. NEW BUSINESS

- a. None.

15. COUNCIL COMMENTS

Council Member Dunn had no comments.

Council Member Burk stated she was invited to the kick off of the motorcycle ride at Payne's Bar to benefit the Muscular Dystrophy Association. She stated she attended the 210 Anniversary of the Leesburg Volunteer Fire Company. She stated she also participated in the annual dog swim. She disclosed a meeting with Jan Zachariasse and the Waterford Development Group. She encouraged everyone to come downtown to the Paragon Arts Festival over the weekend.

Council Member Martinez stated he attended the Central Loudoun Little League event at Good Times Park. He requested that the subject of lighting Robinson Field be discussed. He noted that water and sewer was only brought to the property line at Good Times Park. He stated it was assumed that the new developer would bring the water and sewer lines onto the property.

Council Member Hammler stated she is saddened by all the townhouses encroaching on Good Times Park. She disclosed a conversation with BJ Webb and a meeting with Petersen about Crosstrails. She stated she attended the Epicurience Event at Morven Park, which was valued at \$95. She stated she attended the 9-11 Ride and it was truly moving. She stated she will be attending the 9-11 Ceremony on Wednesday. She stated she attended a lecture at Balch Library by James Hershman. She thanked Jennifer Lassiter at Paxton and the Aurora School who is embracing preservation with an eye towards the future. She congratulated Knight Solutions and FCI Federal which are two Leesburg businesses that are amongst the fastest growing in the nation.

Council Member Wright disclosed a meeting with Jan Zacharaisse regarding the Waterford project on S. King Street. He also disclosed a meeting with Petersen and their attorney regarding Crosstrail. He noted the Friends of Leesburg Public Art put in a lot of effort with respect to the arts festival this weekend. He complimented the Friends of the Dog Park for their Dog Swim event, which was very well run. He noted he has an opening on the Economic Development Commission.

Council Member Martinez stated the traffic on Battlefield Parkway is not just a problem on Friday nights. He mentioned that the light cycle for the Rt. 7/Battlefield Parkway interchange does not let enough north/south traffic through.

16. MAYOR'S COMMENTS

Mayor Umstatted stated that the President of Central Loudoun Little League had good things to say about Council Member Martinez and staff member, Lee Phillips. She stated she officiated at the ribbon cutting for Crafty Stitches in the Village at Leesburg, which is an interesting concept for sewing. She congratulated Tom Dunlap on the ribbon cutting for Dunlap-Weaver on Church Street. She stated the Battlefield Run to

raise money for the children of fallen special operations warriors will be held this coming weekend.

17. MANAGER’S COMMENTS

Mr. Wells updated Council on the efforts around Tuscarora High School to improve safety for the walking students. He stated some traffic counts will be performed and lights will be adjusted based on actual traffic. He stated Yield to Pedestrian signs have been approved and will be installed by the school. He noted brush and hedges along Dry Hollow Road will be trimmed to increase visibility for the walkers.

18. CLOSED SESSION

None.

19. ADJOURNMENT

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

Kristen C. Umstattd, Mayor
Town of Leesburg

ATTEST:

Clerk of Council
2013_tcm0910