

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

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

Council Members Absent: Council Member Kevin Wright.

Staff Present: Town Manager John Wells, Town Attorney Jeanette Irby, Deputy Town Manager Kaj Dentler, Director of Public Works Tom Mason, Deputy Director of Planning and Zoning Brian Boucher, Senior Planner Irish Grandfield and Executive Associate I Tara Belote

AGENDA

ITEMS

1. **CALL TO ORDER**

2. **INVOCATION:** Council Member Thomas Dunn

3. **SALUTE TO THE FLAG:** Vice Mayor Butler

4. **ROLL CALL:** Council Members Kevin Wright and Katie Sheldon Hammler absent. Council Members Burk arrived at 7:43 p.m.

5. **MINUTES**

a. Work Session Minutes of January 13, 2014

On a motion by Vice Mayor Butler, seconded by Council Member Martinez, the minutes of the work session meeting of January 13, 2014 were approved by a vote of 4-0-3 (Burk/Hammler/Wright absent).

b. Regular Session Minutes of January 14, 2014

On a motion by Council Member Martinez, seconded by Vice Mayor Butler, the minutes of the regular session of January 14, 2014 were approved by a vote of 4-0-3 (Burk/Hammler/Wright absent).

6. **ADOPTING THE MEETING AGENDA**

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

Aye: Butler, Dunn, Martinez, and Mayor Umstattd

Nay: None

Vote: 4-0-3 (Burk/Hammler/Wright absent)

7. **PRESENTATIONS**

a. Proclamation – Horace Nelson “Mutt” Lassiter

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

PROCLAMATION

Horace Nelson “Mutt” Lassiter

WHEREAS, “Mutt” Lassiter is a valued member of the Leesburg business community, operating and owning Robinson’s Barber Shop; and

WHEREAS, when the state of Virginia began requiring barbers to have licenses, “Mutt” Lassiter obtained his license and served on the State’s certifying board; and

WHEREAS, “Mutt” Lassiter purchased Robinson’s Barber Shop in 1968 and operated it as a fully integrated establishment; and

WHEREAS, “Mutt” Lassiter has served the Leesburg and Loudoun community as a boy scout leader and a youth football coach; and

WHEREAS, “Mutt” Lassiter has protected the Leesburg and Loudoun community as a Leesburg special police officer and a Loudoun County Sheriff’s deputy; and

WHEREAS, “Mutt” Lassiter has protected the United States of America as a United States Marine and served during the Korean conflict; and

WHEREAS, “Mutt” Lassiter has consistently been a voice for equality in our community.

THEREFORE, the Mayor and Council of the Town of Leesburg in Virginia hereby recognize the contributions of Horace Nelson “Mutt” Lassiter to our community and our country on the occasion of his 80th year and wish him good health, happiness in the years to come.

PROCLAIMED this 11th day of February 2014.

- b. Certificate of Recognition – China King’s 25th Anniversary
On a motion by Council Member Martinez, seconded by Vice Mayor Butler, a certificate commemorating China King’s 25th anniversary in Leesburg was awarded.

8. PETITIONERS

The Petitioner’s Section was opened at 7:37 p.m.

There were no citizens wishing to speak as petitioners.

The Petitioner’s Section was closed at 7:37 p.m.

9. APPROVAL OF THE CONSENT AGENDA

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

- a. *Next Town Hall Art Gallery Exhibit – David Levinson*

RESOLUTION 2014-016

Town Hall Art Gallery – Approval of the Next Art Exhibit by David Levinson

- b. *NVTA Memorandum of Agreement*

MOTION 2014-006

I move to approve the Memorandum of Agreement between the Northern Virginia Transportation Authority, the County of Loudoun and the Town of Leesburg and authorize the Town Manager to execute the agreement.

- c. *Initiating an Amendment to Chapter 24 of the Town Code and the Zoning Ordinance regarding Excessive Noise*

RESOLUTION 2014-017

To Initiate Changes to the Town Code and Zoning Ordinance Related to Excessive Noise

The Consent Agenda was approved by the following vote:

Aye: Butler, Dunn, Martinez, and Mayor Umstadd

Nay: None

Vote: 4-0-3 (Burk/Hammler/Wright absent)

10. PUBLIC HEARINGS

- a. *Approving Rezoning TLZM 2013-0002 Jerry's Ford*
The public hearing was opened at 7:49 p.m.

Irish Grandfield gave a brief presentation on this public hearing.

Key points:

- Expansion and Improvement of the existing Jerry's Ford site.
- 4.5 acre site
- Jerry's Ford takes up most of the site, Seneca Auto Body is located in the back
- Both businesses are owned by the same party
- Three points of access to the site – two in front on Rt. 7, one in the rear on Trailview Boulevard
- Structured parking will be for inventory storage
- Rezoning will go from I-1, which does not allow auto vehicle sales and service to B-3

- Special exceptions are for vehicle sales and service and the structured parking
- Parking spaces will not be standard because they are for inventory

Council Comments/Questions (*Verbatim discussion follows*):

Martinez: How many spaces will be in the parking garage?

Staff answer: 225 spaces over three above ground levels. Will not be visible from Rt. 7.

Mayor: Good idea for inventory parking. Appreciate how agreeable Jerry's was to work with on this application

Michael Romeo, land use planner with Walsh Colucci, spoke on behalf of the applicant. He stated that staff was very easy to work with as well.

Applicant's key issues:

- Access to Rt. 7 as a "right-in, right-out" with ultimate closure of access when viable secondary access is achieved
- Site is a difficult shape
- Applicant will provide a significant, 75 foot setback
- Provides a good entrance to town
- Town Plan calls for automotive sales uses
- Current facility is outdated
- BAR has had a forward view of new facility and will have review of facility
- Planning Commission recommended unanimous approval

Gary Cohen, president of Jerry's Ford of Leesburg, stated the original facility was built in 1967. He stated the new facility will be state of the art to give the customers an enjoyable experience.

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

The public hearing was closed at 8:08 p.m.

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

ORDINANCE 2014-O-005

Approving TLZM 2013-0002 Jerry's Ford, Rezoning 4.54 Acres of Land at 847 East Market Street From I-1 to B-3

(*Verbatim discussion follows*):

Dunn: Glad to help move this along and appreciate the business in town.

Burk: Believe that structured parking is the best idea for parking inventory and glad to see that at least 85% of the water from the car wash will be recycled to keep it out of the streams. Also happy about the additional set back from Rt. 7. Remain concerned about the right-in, right-out and understand about the agreement to have the entrance closed in the future.

Martinez: Glad to have a great application such as this one. Parking structure is needed.

Mayor: Appreciate Jerry’s investment in the town.

The motion was approved by the following vote:

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

Nay: None.

Vote: 5-0-2 (Hammler / Wright absent)

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

RESOLUTION 2014-019

Approving TLSE 2013-0006 Jerry’s Ford, Allowing Vehicle Sales and Service on Property at 847 East Market Street Identified as Loudoun County Parcel Identification Number (PIN) 189-28-9864

The motion was approved by the following vote:

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

Nay: None.

Vote: 5-0-2 (Hammler / Wright absent)

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

RESOLUTION 2014-020

Approving TLSE 2013-0013 Jerry’s Ford, Allowing a Parking Structure on Property at 847 East Market Street Identified as Loudoun County Parcel Identification Number (PIN) 189-28-9864

The motion was approved by the following vote:

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

Nay: None.

Vote: 5-0-2 (Hammler / Wright absent)

11. RESOLUTIONS AND MOTIONS

a. Opposing House Bill 1084

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

MOTION 2014-008

I move to approve the letter from the Leesburg Town Council requesting that HB 1084 and any companion legislation in the Senate, including Senate Bill 578, be rejected as it is not in the best interest of the Town and its residents and other taxpayers.

I further move that the Town Council request that should the legislation pass in a form that is substantially consistent with HB 1084 as proposed, it and any companion legislation be VETOED by the Governor during the veto session

I further move that copies of the letter, electronic or otherwise, be sent to at least the entire General Assembly, Loudoun County Board of Supervisors, and the Virginia Municipal League.

And I further move that Town staff send a press release regarding this motion and letter as soon as practical.

Council Member Comments/Questions (*Verbatim discussion follows*):

Butler: This legislation would have a chilling effect on any development in the town. What it basically says is if there is – and the town attorney can correct me if I am wrong, but any condition or proffer that is put on a rezoning or special exception, or potentially even administrative decision could then be challenged in court by the applicant and then if the applicant wins, that the town would be liable for damages and attorney’s fees. This presents a situation that would not be in the best interests of the town to pass any rezonings or special exceptions except under certain specific conditions. I am concerned that across the Commonwealth this could reduce economic development across the state.

Dunn: I want to make sure that we do understand that this is not just for developers – this could be any citizen that has an issue before town or any governing body. While developers may have the ability to have lawyers in their pockets and bring this to court, citizens generally cannot and often times they may feel like they have to take the decision by the governing body whether it be a council, a board of supervisors, a planning commission or a board of architectural review even. I have seen boards of architectural reviews beat up citizens over a piece of fascia board and citizens can often feel like “I’ll just do it – I’m just glad to be out of here” and this could give them the ability to know that “I don’t agree with that issue – I can bring this to suit and should I prevail, then I could have my costs recouped”. So, it is not just big, nasty developers that are involved. I do have some concerns with the letter. After our initial discussion, I will probably put forward a

couple of requests for some adjustments to it because it concerns me when we put too much speculation into the letters about what may happen. I think we actually give more weight to the letter by just dealing with the facts and saying that we oppose the letter rather than guessing at what may or may not happen. I think too often, the pattern is to turn fears into facts and I would not want us to do that. And then also, while it is coming away from what was initially said yesterday and zoning and development in Leesburg – I think it would be a very bad statement to make that is something that we would even contemplate here in town that I still think the letter has some veiled threats or otherwise that hint at the fact that we would even consider stopping development, so I will listen to other folk's comments and then I would like to make some friendly amendments and/or motions to change a couple of – some little wordsmithing on it. Thank you.

Burk: This bill is very disruptive to the town. I do not think it benefits the citizens of the town very much at all. It takes a process we already have in place and makes it so chilling that the impact could be felt almost immediately. I have no problems speculating because I think the governing body needs to hear possibly what could happen. So, I don't have any problems with the letter.

Martinez: I have to agree with Kelly. I think it is appropriate.

Mayor: I will be supporting the motion because I can, of course, see easily under this a situation in which the Council approves a rezoning in great part because the developer has offered proffers to mitigate negative impacts of the rezoning. For example, transportation improvements to make it easier for citizens to get around the newly rezoned area and the problem with this bill and its companion bill in the state senate is that once the rezoning is granted with the proffers, the developer could go into court, ask the court to strip the proffers off, he still gets his rezoning but now he does not have to do anything to mitigate the negative impacts on citizens and residents of the town who are in the vicinity. So, I think it initially – I am not sure why it initially was brought forward in the General Assembly, but I think the implications are as Dave stated them – that the safest thing for the Town Council might be to turn down every rezoning and special exception because the courts could come in and later potentially strip conditions and proffers from those rezonings and special exceptions. The trouble is there is a lot of uncertainty as to what any particular court might do and it probably would result in years of litigation, but we do not know what the outcome of any of those lawsuits might be except that it will transfer costs onto our taxpayers and that I think is a negative perhaps state senators and delegates did not fully anticipate when

they started supporting this as it went through the General Assembly.

Dunn: Some suggestions and changes – again, I do not think it is going to take away from the impact of the letter. I think it actually strengthens it because I think to make assumptions actually takes a little bit away from it. I am suggesting that we remove the last sentence in the first paragraph – “the bill will likely produce a chilling effect with respect to legislative decisions made by us – the Leesburg governing body”. Again, I feel that is again –

The motion to amend failed for lack of a second.

Dunn: The other one is definitely presumptive, because it used the word presumptive in the third word of the second paragraph – remove that first sentence “given the presumption that any unconstitutional condition is the basis of an approval, it may be safest for us to simply deny an application to avoid litigation”. I think that is sending a very a strong message that we would even consider because of the fear of litigation, that we have not even experienced, that one the bill it not even here but to send that kind of message out I think could have too strong of an impact that we are not prepared to deal with that again is presumptive.

Butler: The word presumption is in the bill. “Presumption is that any unconstitutional condition is the basis of an approval” and that is the problem is that even if anything is in the proffer that the applicant wants – the applicant can come back later and say that is unconstitutional and the presumption is that – in the bill it says that the presumption would be that would be required for our approval. So, that is the reason that sentence is in there. Presumption is not my word.

Dunn: The second part of that is the safest for us to deny applications to avoid litigation. Again, we are presuming that would be the action we are taking and that may not be the action we feel we need to take.

Council Member Dunn’s motion to amend by removing the second half of the sentence “safest for us to simply deny an application to avoid litigation” failed for lack of a second.

Dunn: The next one is the last sentence in that paragraph “We the Council see the potential for large, unanticipated financial impacts”. That is purely just guesswork. I am even sure what large is considered, what small is considered. It is just very much guesswork. Not to mention the fact that we have not even

discussed this because we just had a brief motion made last night at the table as a body, as a council, we have not even discussed what the potential large financial impact would be.

Butler: Jeanette, what would the estimate of attorney's fees be of something that had to go forward to the supreme court?

Irby: There was a financial impact statement done from some localities and it ranged anywhere from six figures to an amount that they could not determine. Generally when we go up to the supreme court on any issue it is a six figure number.

Butler: So, I would consider six figure large.

The motion to amend failed for lack of a second.

Dunn: The next one is the third paragraph. I am recommending, again, this is just pure speculation. That whole paragraph could be removed.

The motion to amend failed for lack of a second.

Dunn: I just wanted to underline the most harmful part of the bill – that is an opinion. Some might feel that there are other harmful parts, or that it is not harmful, but it is some other adjective but I guess I can be okay with leaving that in but seeing how it looks like none of these changes are going to be accepted anyway. The next paragraph is to remove the words in the third line. I think it is giving the same result, but it is just wordsmithing a little bit to read “by the development community should be to mitigate and minimize negative impacts”. I am concerned about the word “not to be” to punish the town. I do not know if that is really the goal of this legislation is to have the development community punishing our town or other towns, but that – is that the message we want to send is that the development community should try to mitigate and minimize negative impacts to the existing residents and the taxpayers.

Council Member Burk seconded the motion to amend. Council Member Dunn recapped the rewording of the sentence: “The remedies sought by the development community should be to mitigate and minimize negative impacts on our existing residents and taxpayers”.

Buler: I would not necessarily be opposed to rewriting the sentence, but I think it is clear that the purpose of the bill is to eliminate the opportunity for the Town Council to mitigate and minimize negative impacts on our existing residents and taxpayers. So, I

think it is difficult for me to translate that into a positive way and have it have the same meaning.

Dunn: I think as Kelly put it, I think the impact is the same to the paragraph, it is just not putting – it almost makes it put it like “oh woe is us, we are being punished by the big developer and I do not think that is the message that we really want to have sent with this. It is not a bill designed to punish our town or other towns. So, that is why I was just suggesting you get the same impact by taking out the words “not” and “punish the town by trying” and you still are basically asking developers to take proper actions to not hurt the communities.

The motion to amend was failed by the following vote:

Aye: Burk and Dunn

Nay: Butler, Martinez and Mayor Umstadd

Vote: 2-3-2 (Hammler / Wright absent)

Dunn: The last one would be the second to last paragraph – “we expect other jurisdictions to come to a similar conclusion...” I am suggesting that paragraph be removed because again it is presumptuous that we would, as far as I know, that other than through VML, we have not communicated with other jurisdictions and it was enough to speculate in our own community, never mind trying to cast our speculations upon other communities.

The motion was seconded by Council Member Burk.

Dunn: Again, I think it is a bit redundant. We have already said we recognize there is financial impact in our community and then to say that it is going to be the same in other jurisdictions, I think that is just a little forward on us to feel that we can determine what the impact is going to be on other communities. I do not think that it really helps the argument by just – it just piles on the continued guess work that we are implying by this.

Burk: I do not like the structure of the paragraph.

The motion to amend was failed by the following vote:

Aye: Burk and Dunn

Nay: Butler, Martinez and Mayor Umstadd

Vote: 2-3-2 (Hammler / Wright absent)

Mayor: I would recommend in the second paragraph we capitalize the words “General Assembly”. Third paragraph “Many land use applicants” should be “many land use applications”.

The edits were accepted as friendly.

Dunn: "Will" in the last sentence should be changed to "May" to be consistent.

The edit was accepted as friendly.

Butler: I am wondering if – the line about punishing the town – I wonder if there is not a way to keep the spirit of that but soften it. I hate to have a line in there that people can disagree with. The thrust of the letter may be lost if someone says they are not trying to punish the town.

Mayor: How about "The remedies sought by the development community should not be detrimental to the town for trying to mitigate and minimize negative impacts on our existing residents and taxpayers".

Butler: Or "Should not be detrimental to the Town's efforts to try and mitigate..."

Burk: Okay. There is no way we could do it without saying the word "Not"? "Sought by the development community..."

Butler: The whole letter is "don't do this".

Umstadd: "Do not undermine the town's efforts to mitigate and minimize negative impacts"

Butler: Is there something a little softer than "undermine"?

Irby: "Not work as a detriment to the town's efforts"?

Dunn: Well, if I could, and I am not trying to go back to my wordsmithing of it earlier, but if you read that paragraph, the paragraph is trying to state a fact of certain things that have happened, then to change it that these things have happened – we have had growth. It has not always met our needs – the infrastructure and that is why I suggested to remedy that – development should be working with the community to mitigate/minimize those situations. Instead, we are saying well, here is a fact and then the presumption would be then that we have had situations were developers have tried to punish us already and that was where I was not great with that punishment word. So, again, we are saying a fact and then this is – I think what the message is trying to be is – here is our facts. To do this legislation

is going to hurt us from our current situation. But again, I was trying to find a positive way of staying with the fact.

Butler: Well, if you cut out all the unnecessary words and put in something like “Butler-ese” this paragraph basically says, “Look, we have had substantial growth in the last 20 years and the proffers and other conditions have not, in fact, mitigated the impacts of the development and now you are trying to send a bill that is working against our efforts to try to do our job related to the taxpayers, so stop it”.

Dunn: How about this, Dave? Situation in the past – the way we sought by the development community should be to mitigate/minimize negative impacts on the existing residents and taxpayers. This proposed bill may further hamper that process – or something to that effect because you want to tie it into the bill and this paragraph almost could be taken out of this whole letter because it is not necessarily – other paragraphs are addressing the bill. This is stating this is where we have been and you may want to have a sentence in there that brings it back to the impact the bill may have on our current situation.

Butler: What if we do this and we will keep it simple. Say the remedy sought by the development community should be to work with the town in trying to mitigate/minimize negative impacts on our existing residents and taxpayers.

Mayor: I like that.

Butler: That gets the message across and it is still in a positive tone.

The edit as stated was accepted as friendly.

Dunn: While I do not support this bill and I think that – I am glad we are glad in the words that – what was my concern was should this bill pass I would like to see it pass where the prevailing party gets to seek refund of fees – meaning that we as a town could actually get our fees paid for – I am going to go ahead and abstain from this because I am concerned about the speculation that is written into this letter.

Butler: I just wanted to say there are worries that these bills could be changed that would be very reasonable and that I actually would support, but the way that the bill was written, it is too broad and has too many unintended consequences. It could be very detrimental to our efforts.

The main motion was approved by the following vote:

Aye: Butler, Burk, Martinez and Mayor Umstatted

Nay: None.

Vote: 4-0-1-2 (Dunn abstaining, Hammler/Wright absent)

12. ORDINANCES

a. None.

13. UNFINISHED BUSINESS

a. None.

14. NEW BUSINESS

c. None.

15. COUNCIL COMMENTS

Council Member Burk requested permission to ask three questions related to the bond issue:

1. Why does the Capital Projects director not know that they will be short money?
Staff answer: The town does not issue bonds every year – bond issues are spread out and this allows you to use local dollars to move take advantage of good weather and the ability to accelerate projects.

2. If the town is running out of money, why can it not slow down the project?
Staff answer: It is cheaper to move forward if weather allows than to slow down a project to wait. You could actually save a debt service payment in FY 2015. Many contracts have a date that contractors have to meet. Slowing a project down may incur a penalty by the contractor. This could affect Lowenbach, the Downtown Improvements, and the South King Street Widening

3. Is this money going to be returned in the next budget so it does not have an impact on the tax rate?
Staff answer: The money is not a bond issue – the only bond issue that will be approved is one that will be included in next year's budget. The motion to reimburse simply allows Council to use the cash flow from a future bond to pay the town back in the event that expenditures are more than what is needed. This does not have any negative consequences beyond borrowing the money that would be needed for the project. This motion allows you to use money that would occur next fiscal year to pay bills that are due this fiscal year. This is an administrative procedure that allows you to pay yourself back.

Council Member Burk disclosed a meeting with Christine Gleckner of Walsh Colucci regarding Sycolin Commons. Further, she stated she represents Shenandoah University to the school community and was going to PTA meetings to encourage them to nominate a teacher for the Teacher of the Year Award in the Special Education areas.

Council Member Martinez stated he had no comments.

Vice Mayor Butler disclosed a meeting with Walsh Colucci on the potential Sycolin Commons application. He stated he had a brief phone call with Hobie Mitchell on the General Assembly bill 1084. He wished everyone a good Valentine's Day and hoped everyone stays safe through the expected snow storm.

Council Member Dunn stated he had no comments.

16. MAYOR'S COMMENTS

Mayor Umstattd disclosed a meeting with representatives of Sycolin Commons on their proposal for 65 townhomes on the parcel of land on the east side of Sycolin Road north of Walgreens.

Mayor Umstattd wished a Happy Birthday to the family member of one of the Council Members, who wishes to remain nameless.

17. MANAGER'S COMMENTS

John Wells stated an updated Council Action Calendar has been provided to Council. He noted that on February 25th proclamations for Black History Month and the Loudoun County High School Girl's Volley Ball team will be presented. A presentation by the Civil Air Patrol and the FY 2015 Budget are also expected. A Certificate of Recognition for Photowork's 35th Anniversary is also expected.

18. ADJOURNMENT

On a motion by Council Member Martinez, seconded by Vice Mayor Butler, the meeting was adjourned at 8:50 p.m.

Kristen C. Umstattd, Mayor
Town of Leesburg

ATTEST:

Clerk of Council
2014_tcm0211

Council Chambers, 25 West Market Street, 7:30 p.m. Vice Mayor David Butler presiding.

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

Council Members Absent: None.

Staff Present: Town Manager John Wells, Deputy Town Attorney Barbara Notar, Deputy Town Manager Kaj Dentler, Director of Planning and Zoning Susan Berry Hill, Director of Plan Review William Ackman, Deputy Director of Planning and Zoning Brian Boucher, Assistant Town Manager Scott Parker, Director of Economic Development Marantha Edwards, Research and Communications Manager Betsy Fields, Director of Parks and Recreation Rich Williams, Director of Finance Norm Butts, Deputy Director of Finance Kim Williams and Clerk of Council Lee Ann Green

AGENDA

ITEMS

1. **Work Session Items for Discussion**

- a. Downtown Improvements Verbal Update
Scott Parker was present to answer questions.

Key Points:

- Marketing Plan is coming together
- Waterline at the East End Triangle will be replaced
- Will be meeting with Mom's Apple Pie to make sure she is ready

Council Comments/Questions (*Verbatim discussion follows*):

Burk: Why hasn't meeting with Ms. Renshaw happened yet?

Staff answer: Meeting needed to occur after plans were completed. Will sit down with her and talk to her after the plans are completed so that plans can be finalized – probably in two weeks.

Burk: She is very concerned. I want to ensure that you are both speaking the same language. Make sure that happens because the last thing with the legs. She listened to one thing and you were thinking another and so it caused a little distress upon her.

Staff answer: We have met with her three times in the last week and let her know exactly what we are doing. We have gotten her feedback on that. We have no surprises in store for her. The goal is to show her final drawings and get her last little bit of input once she sees the final drawings and that will most assuredly happen.

Burk: All right. And you said the final marketing program is going to the next meeting?

Staff answer: I cannot promise that for the next meeting, but we will do what we can to have that to you as soon as possible.

Burk: Okay. Then I will hold my questions on that until then.

b. Legislative Update

Betsy Fields stated the General Assembly session is starting to wind down.

Key Points:

- One more full week left of committee meetings
- Anything that is not reported out of committee this week likely will be left in committee
- Provided Council with an updated report about bills of concern
- Monitoring budget amendments now as they go through the process

Council Comments/Questions (*Verbatim discussion follows*):

Hammler: Given our priorities last week and forward, is there anything that you need from Council that would facilitate achieving our goals legislatively?

Staff answer: I do not think so. I think at this point we have made our position known on some bills.

Hammler: I would definitely appreciate getting copies of your testimony in terms of when you are presenting to the committee. I am sure you do this, but it was interesting – when we were preparing, Kelly and I, for the local transitional local issues with the governor-elect, how very well prepared so many elected and appointed officials came to that meeting and what was most meaningful was when they communicated bottom-line dollar to their specific municipality. So, assuming we do that when we communicate in terms of even the 50-65% threshold, you know how that impacts Leesburg in terms of impacted tax rate citizens and just in terms of other influential powers.

Staff answer: (inaudible) communication taxes when I testified.

Hammler: I felt like I was not fully prepared in that regard in terms of having Leesburg specific data – it sort of came full circle in terms of asking VML. Long story short – the more we can get those kind of talking points, we can make additional phone calls.

Wright: I guess just one follow-up. John, the funding for primary pavement in cities and towns. What I heard is they fixed it, but how much did it cost us while it was broken? So, if you could take that away and come back.

Staff answer: I could give you a guess, but let me calculate it out.

Burk: If it is blank in here, it means it has not gone to final vote?

Staff answer: That is correct. So, if it is blank in here, it has not reported out of committee or had any action. So, in other words, some of them will say was assigned to a subcommittee and the subcommittee recommends reporting. But if it just says the house committee and the status is blank, it means it has been assigned to that committee, but nothing has happened yet.

Burk: Will something likely in the next week happen?

Staff answer: If nothing happens within this week, it will be left in committee. Now, in some cases there are companion bills in the other house or the other chamber and so they could just be letting it go knowing the other bill is going through to final. For example, on the top line of our Hot List summary on the first page, the precious metal dealers bill, you will see that the senate bill had been reported to the House General Laws committee, but the house bill has already passed both the house and the senate so there really is not a need for the House General Laws to take up that bill because it has already been through.

Butler: I have a couple of quick questions. One is with the 1084 and 578 bills. If the only point of those bills is to codify rules, why do they need to do it? I mean, couldn't we still get sued in federal court, then, in an unfortunate requirement?

Notar: Because in order to sue in federal court there has to be a federal question or diversity of citizenship, which does not usually occur in land use cases. So, land use cases happen most of the time in state court. I assume that is the reason.

Butler: I was just thinking if the supreme court ruled on it, why do we need to codify it?

Notar: That is a good question because constitutional cases are not always brought in federal court. State court is usually easier to make a very simplistic explanation, but most times in land use cases we go to state court. I assume the purpose of the bill wanted to make attorney's fees and other things easier for state court litigants.

Staff answer: Plus, its unconstitutionality, not just of the U.S. constitution, but of the Virginia constitution as well.

Butler: Well, in any case, assuming that this continues on its path, we will need some direction and some guidance going forward on a lot of these applications. I have one other question that is probably something that is on your radar, but do you just happen to know if anything has happened with the E-Sea Resolution? There was a bill moving forward to require textbooks in the Commonwealth.

Staff answer: E-Sea – the Sea of Japan – I think it went through. Meaning the General Assembly will be over for the year. Council Member Hammler had asked for the voting record of all of our legislators and I will provide that once the session is over.

c. Healthy Eating Active Living Resolution

Marissa Jones of the Institute for Public Health Innovation gave a brief presentation regarding the Healthy Eating Active Living program.

Key Points:

- Obesity rates are rising
- At the current rate, 50% of Virginians will be obese by 2030
- Development becoming more automobile centric
- Two parent working families means less time for homemade meals
- Referring to obesity as a precursor to chronic disease
- Obesity related medical expenses were \$3.38 billion which comes out to an additional tax burden per resident of \$222
- Today's youth is the first generation in modern history that has a shorter life expectancy than their parents
- Partnership with VML
- Not about telling people what they should or should not do, but helping make it easier for people to make healthy choices
- Free technical assistance on policy adoption
- Serve as a model to help make policy goals a reality

Council Comments/Questions (*Verbatim discussion follows*):

Burk: We have a vibrant farmer's market and a wonderful community garden that has a waiting list. People want to get on it for years. We have a number of retail stores. We use joint facilities. We work to complete streets. Our general plan – we do look at walking. A lot of the work we do goes into this.

Jones: So, first of all, it sounds like first of all, you might be a great candidate to serve as an example for other municipalities in Virginia, which

would be great. You can go to our website. The web address has 54 policies, which we provide technical assistance on.

Burk: There are other things we can do?

Jones: There are other things. There is also a lot of value – including a look at – you know, if there is anyway we can afford more. I know things that you want – so for example, one of the towns in Maryland I work with, they have some privately owned land and they have an informal agreement and we are working with them on establishing a memorandum of understanding with the landowner to formalize it in a three year agreement. So we can formalize something you are already doing. I would invite you to take a look at the website.

Burk: Thank you.

Wright: So, following up on what Council Member Burk had mentioned. So, a couple of things I do not think we can do. I saw the one in your mixed use picture where there was permitting for businesses based on amount of fresh food. I am pretty sure the state has not enabled us to do that. So, as a Dillon Rule State, that one would not apply in Virginia. I guess the main thing there would be opportunities for is obviously the awareness aspect of it – a lot of the facilities stuff we are doing. The one thing that is different, I think with towns and cities and all that are a little different. In Virginia, a town does not have the public health responsibility that hits the county, so we have more the zoning impact and those items. But, the one thing I was interested in – I do not know if you have any more background on, is obviously we keep trying to build our wellness program for our employees, partially because we like them, but also because we also like our insurance rates to go down versus up. Can you give a little more background on how you would help with that type of effort?

Jones: Sure, so we can support you to adopt a work place wellness policy that can either mean the wellness committee does a workplace wellness assessment and identifies where there are some opportunities. Is it increasing opportunities for physical activity, is it increasing opportunities for healthy food, is it doing an assessment of what is in the vending machine. Are there any opportunities to put a couple more healthier options in there? Again, sorry to invite you to our website.

Wright: I'm already on it.

Jones: Okay, on work place wellness, people will call us to do work place wellness. There are draft policies that you could take a look at. We also have a workplace wellness specialist that I would be happy to

connect you with. She has worked with municipalities on figuring out what else they can do.

Hammler: Marissa, thank you. Excellent presentation. I know just the feedback I got at VML from some of the other municipalities is that they were very inspired and took to heart how very important it is to formalize the great things that they are also doing and finding new ways to keep offering new opportunities to their citizens and I completely agree with Kelly. It is very fortunate – I frequently say to myself – it is amazing the opportunities we have in Leesburg to make some unbelievably great choices and the resources that we have. But to the extent that we can begin to measure where we are and citizens may want to continue to come forward with ideas for how we can do better. Examples of Kelly has been extremely instrumental from a leadership perspective with where and how we can look at how to integrate art, but I bring that up because, you know, then we start looking at development opportunities from a zoning perspective and we start asking ourselves and become accustomed to asking ourselves how does this tie into our goals for asking, you know, proffer money for art and I think we can begin to set that tone as relates to some of our zoning questions and capital improvement types of opportunities to again reinforce the things that we are moving forward on the bike lanes, the pedestrian orientation of development. Marty has been a real leader in terms of working towards our bike lanes, for instance. He is our Parks and Rec Commission liaison, so to me it makes sense to have our Parks and Rec Commission, perhaps take a look at this as well and come back with some policy recommendations for how we can formalize this, perhaps add language to our Town Plan with some of our goals. To your point, this is about quality of life for citizens, which is a major goal of this Council. It is about keeping costs low from a tax perspective and it sort of opened up the General Assembly conversation talking about, you know, you mentioned the transition on local issues, we keep asking the state to look for ways to reduce costs on Leesburg, but this is also our way of saying we are going to take responsibility and try to lower our tax burden from a health care cost perspective back on the state and keep, you know, promoting that good message of partnership. One idea I had, was we have been looking at a new sister-city relationship with a city outside of Paris and it occurred to me because I often hear that folks that are in the Mediterranean area or even certain areas of Asia have certain eating habits and lifestyle habits that are more conducive to overall healthy living, whereas Americans tend to more into processed foods and making different decisions and that leads to an opportunity for us to open up the dialog and, again, build relationships and learn healthy habits from a sister-city. So, I think it would be great for us to kind of take a step back and come up with some great ideas

and leverage all of the great resources that you have as well as finding the fund the specific things that we can bring forward.

Jones: Great. Thank you.

Butler: A couple of quick questions. How is the Institute for Public Health Innovation Funded?

Jones: So, like I said, the Institute for Public Health Innovation serving DC, Maryland and the Commonwealth of Virginia – we have a number of different funding sources, a lot of federal grants, a lot of state grants. We are funded by numerous county and state health departments. We have funding from the Centers for Disease Control and Prevention. This particular initiative is funded by Kaiser Permanente as part of their community benefits. I am sure you know that nonprofit hospitals have to provide community benefit each year. This is what Kaiser does.

Butler: Thank you. I can see the bicycle lanes – I think that is a huge thing. I really think the Parks and Rec Commission working with our staff could look at the streets comprehensively. I think like where could we potentially squeeze lanes down a little bit and potentially put in other bike lanes. I go to other cities and, you know, a lot of their streets tend to be narrower, but they have bike lanes also on the sides. What more we could do for that, I think that would be a good idea. I think, maybe Bill Ference working with folks – we talked about the park in front of the parking garage. Maybe we think about potential active parks instead of necessarily just a strict passive park. In fact, in all of our parks, is there things that we can do that would encourage exercise – even in a Raflo Park or something. Is there something – what could we put in those parks that might encourage people to exercise. But, other than that – I think this is great. I was wondering – can we get that map – is that on your website?

Jones: I can send that to you. It actually has it year by year so you get to watch like oh, when did the colors change. When did this happen.

Wright: It's depressing.

Butler: If there is a link – maybe where it goes step by step. Maybe, what we can do from an education standpoint – like maybe putting foodinc on our website – things like that. I think that if everybody in Leesburg watched that movie or a similar one, that our habits might change a lot. I also would be interested in – I hear comments from a few people like why does – how come you go to a fast food place and a salad costs more than an entire happy meal? What are the dynamics around that because that obviously – because a salad versus a happy meal – ten

salads versus ten happy meals you are going to start going from blue to rust colored in a real hurry.

Jones: So, [inaudible].

Butler: From an education standpoint. I have no desire to fight the fast food industry. That is for other people. But, at least knowing why the fast food industry is the way that it is and how the financial dynamics work, I mean I think that is a great education for everybody.

Jones: And sometimes understanding why local produce from farms costs more recognizing that farmers need to make a living too and that you are supporting your farmer's market, you are supporting the global economy and sometimes that people understand that, they are more willing to pay a little bit more for that kale or...

Butler: Or how is a cow treated at the local farm versus a cow treated at some place – a mass produced hamburger factory – something like that.

Hammler: I think that is why your statistics on the cost of healthcare are critical because that is what is not captured in how cheap a processed meal is versus the option to choose to be more healthy which might cost a little more but the cost of all the chronic issues are significant and I am actually reminded of Matt Singleton, who is head of INOVA System, had mentioned you know, what we do well is we are really good at – we can do the emergency care, but it is much more difficult, even medically, to manage chronic issues and I think that is where we can really create a partnership.

Jones: I think we can either pay for it now and you have a happy, healthy life – a high quality life, or you don't pay for it now and you have diabetes, hypertension, may be other chronic diseases. So, there are all kinds of shapes. It will be great if Leesburg is interested and can articulate it's commitment. It sounds like you are doing so many things. I have been walking around and oh, my God, look at these crosswalks and bike lanes and [inaudible]. It seems like a really great place to live and I would love to help publicize the work that you are doing. Let other people know that you are an example, a leader, in Virginia. I look forward to working with you in the future.

Butler: There is an example resolution in our packet. Is there any enthusiasm from Council to move that forward?

Hammler: I would think so.

Wright: That's fine. I don't know if you want to send it to Parks and Rec first and have them refine it? I know the example resolution I saw on the website had a ton of different options.

Hammler: That would be a good idea – if we could get Parks and Rec involved to make the resolution – and come back with a version for us.

Wells: We will send it there first.

Butler: Sounds like a great idea.

- d. Parking Payment in Lieu
Brian Boucher stated would answer any questions on the subject of parking payment in lieu.

Key Points:

- Cost per space for a parking structure downtown is estimated to be \$19k-22k
- Current payment in lieu is \$3k
- Current payment in lieu is unchanged from 1987
- Council direction is required to change the parking payment in lieu amount

Council Comments/Questions (*Verbatim discussion follows*):

Butler: At one point, we kicked around a couple of different numbers. Do you remember what those numbers were?

Wells: I think the \$20k number was the structured parking number.

Boucher: Right and then there was – it might have been 9 or 8 thousand, there were ideas of perhaps different gradations, of the number would be rather than kicking up to do something that would be \$20k which would be quite a change, perhaps some other figures in between were discussed but there was not any formal decision.

Wells: Nothing was initiated at that time. So, the question is do you want to initiate something – you would not have to set a number now on the initiation. You would go through your process to bring that back.

Butler: Okay. Katie?

Hammler: I would absolutely support bringing back a new figure. We are clearly going to have to increase revenues in order to meet our goal to continue to look at opportunities to increase – you know, a structured parking garage and other types of things. I guess as you are bringing that back, the only thing we really need to think through is why wouldn't we

relative to the opportunity cost of anything we are trying to achieve. Otherwise this seems straight forward in terms of what we need to be doing.

Wright: So, a process question. So, we do a resolution to initiate and then is it an ordinance change – the actual fee or how does that work?

Boucher: We would do a resolution because I do not think it is an ordinance, it is actually –

Wright: So, the fee is actually set by the Council. John, what is the one thing – I would certainly support the resolution to initiate. The one thing I would be interested in is if we took – when we set it last time in 1985, if you could do –

Wells: The math...

Wright: Just for the cost of inflation. What that would be versus...your other process was fairly logical and then the other thing is if there would be a way to almost phase it in. So, if the end game we know is going to be \$20k, but do it over a couple of years. Is there some logical way to phase that in? Then the only other question would be – much like the availability fees, if we prorated some of those payments if there may be a payment structure we may also want to look at. The short answer is I think we are overdue in looking at this. I know we talked about it a couple of times and we took a dramatic pause and I think that pause has been long enough.

Martinez: No comments.

Burk: I do have some questions. At the present, how many spaces have been purchased? How many spaces are in that garage?

Boucher: Approximately 370.

Burk: And developers have purchased 320 of them?

Boucher: Approximately 200 right now. With developments coming in the pipeline, we anticipate it will be 320.

Burk: What about people who are living in the neighborhood using the parking garage to park?

Wells: Let me correct that. When somebody pays to buy out of the parking requirement, that does not give them a space in the garage.

Burk: Okay. That is not clear.

Boucher: Normally, you have to provide parking on-site or through some legal agreement off-site in a certain proximity to property. Only in the H-1 district does this apply to. We have payment in lieu, which would allow you, for commercial development to pay \$3,000 for space rather than to provide that space on-site or off-site. It does not buy you a particular space anywhere in the H-1 district. It just means you are relieved of that obligation and the thought was that the money would be used as off-site parking to provide other means and generally it is the town.

Burk: That is my other question. Does it go into the General Fund? Or does it go into a fund for the garage?

Wells: The last time we talked about this, there was the direction from the Planning Commission and Council to basically segregate those funds, which we do, so they are not in a separate enterprise fund.

Burk: But they are identified separately.

Wells: They are identified separately.

Burk: Is it just one time?

Boucher: Yes, you pay it once and then you have fulfilled your obligation.

Burk: How much money do you have in the account?

Wells: Less than \$200,000.

Burk: How much would it cost to make a garage? To build a garage?

Wells: There are other options in terms of surface parking.

Boucher: Surface parking would be substantially less. The thought, as we were doing this, because of the confines of the downtown area, kind of the end game would be structured parking.

Burk: I would be interested in this, but I would think we would send this to the Economic Development Commission to get their input on it. Have we done that? Has it gone there before?

Boucher: No, this is kind of an information memo, really.

Wells: Not in this edition. It may have years ago, but if we want to get the current Economic Development Commission...

- Burk:* I would think we would want to get the input of the business community before we proceed any further.
- Wright:* Especially with the phasing – how we might want to phase it. That is a good point.
- Dunn:* So, what you are saying – we would need to get another 190 of these at \$20,000 to be able to afford to build a parking garage?
- Wells:* After you adopted the increased rates, yes.
- Dunn:* Right. And are next step is going to be doing what?
- Wells:* I think the next step was to find if Council was interested in making a policy change and it sounds like there is interest in pursuing further discussion of that option and the first step would be to go to the Economic Development Commission, if I am taking what I have heard so far. And bring that back to Council.
- Butler:* Because it would be a resolution only, then we would not have to officially initiate anything.
- Wells:* That is right.
- Dunn:* So, we get feedback from the EDC and then should we decide to go forward from there, we go to Planning?
- Wells:* I don't believe it requires Planning Commission action. It is not an ordinance.
- Boucher:* Unless you all directed us to go there, it would not.
- Dunn:* And you said that we have sold about 200...
- Boucher:* in about 27-28 years.
- Dunn:* How many applications do you have so far? What is the need?
- Boucher:* We figure with just the things that are – these are things that are either approved site plans and are awaiting development or are very far along in the process – in other words are approaching site plan approval, we need approximately 120 spaces – that people have the right to purchase. We expect when those site plans get approved, when they go to pull the building permit, they will come in and purchase those spaces. It is approximately 120 more.

- Butler:* All right. It sounds like we would get some opinions...
- Wells:* We will go to the Economic Development Commission and ask that they put that on their next agenda and get feedback then bring that information back with a timeline. I am sensing you would like to see how a phased program – what numbers we might be looking at and how might those be phased in along with some of the other numbers that we would speak to, what’s in the pipeline right now that might be...
- Wright:* And if we kept up with inflation, what the number would be...
- Burk:* I would think we want to make it at least feasible that it would discourage developers from not having enough parking – it would at least give them pause. It would be at such a rate – not at \$20,000 or anything – it would be at such a rate that it would be – it would make them pause and make them think it would be cheaper to have it in my development rather than have it somewhere else.
- Hammler:* Speaking of incentives, you know the key premise from a Frederick, Maryland perspective is the investment in a parking spurred commercial development. We seem to have no problem getting parking built in when it is for residential development. How would we structure it to create more of an incentive for the commercial offset by what we always get with the residential.
- Wright:* One thing to say – one remembers, in the area where they allow payment in lieu, it is only allowed for commercial. Residential must provide...
- Boucher:* There is a few small exceptions.
- Wright:* Right.
- Boucher:* There are certain lots that are under a certain area under 4000 square feet. Maybe 16 spaces.
- Butler:* We did that not too long ago.
- Boucher:* Yeah. Residential still has to provide parking. Either on-site or through some sort of legal agreement within 300 feet of the site.
- e. Comprehensive Parking Program
John Wells stated that this is Council’s discussion.

Key Points:

- New handicapped parking spaces have been added in multiple spots around the downtown.
- Bus service as part of the overall parking and transit issue – will be coming before the Board of Supervisors at a summit on March 10 – prior to the next Council work session.
- Council looked at alternate routes using a hub/spoke system to promote greater use of the bus service and bus service funding
- Letter to the Board of Supervisors indicated the Town will fund the Safe-T-Ride and Saturday trolley service.
- Board of Supervisors should take responsibility for setting the routes and funding the balance of the system.
- No action was necessary on a PPEA for the Liberty Street lot; however, this could be revisited as conditions warrant.
- Items needing review and direction from Council: Payment in Lieu, on-street parking rates, town-wide meters, parking apps to deal with locating availability, garage parking rates.
- Items having received direction from Council, funding will be provided in next year's budget: Downtown parking signs, improving garage signage, garage emergency call boxes (potentially FY 2016).

Council Comments/Questions (*Verbatim discussion follows*):

Dunn: A couple of things, and I know we have gotten push back from Tom Mason on this, but I just went by there today and did a foot measurement on it. The street is wider – Loudoun Street is wider west of Wirt Street with less of an incline than it is east of King Street where you can barely get by with the parking spaces that are there, yet you can add three, maybe even four parking spaces west of Wirt Street on Loudoun where the road is wider, then we have got five or six east of King Street on Loudoun. One of the recommendations I would make is switch out three or four of the spaces – we are not losing any because it is very tough to get by on Loudoun Street east of King Street with those parking spaces where they are. The street is very narrow there and if you are two trucks dueling it out, it is not going to work. The other is – I did not quite see it in here – is we have got the information on attachment two about the parking meters. I have kind of a running personal joke that the reason why the toll goes up is to pay for the toll collectors. It is kind of the same way with our parking meters. It is almost costing us as much to employ people to collect the parking meter fees as it is to pay the parking meters. What I would like to see us do is remove the parking meters and go with a one parking station per block or possibly two if it is a bigger block where people walk up to that one station put in their cash or credit card. They then take the ticket that tells them what time they parked and they put it on the dashboard of their car. I think a similar program inside the parking

garage could also be done where people either pay to – most likely end up paying to enter the parking garage and then their ticket they slide back into the machine that allows them to get out of the parking garage. But I think to try to go to more automated systems in the long run are going to much more cost effective. The other thing was the – I did not see in here was the Royal Street parking issue for those folks who had some concerns about not being able to park in certain types of days. I know we talked about it a few times, but I do not see anything here that addressed it. We talked about different solutions for them but did we ever get that addressed?

Wells: Let me go back. I think I recall that there were a number of options available. We had a public hearing. We did not hear a clear direction as to whether or not we needed to add – I am trying to remember which way the discussion was going, but I think the bottom line conclusion was at that hearing it was determined that we did not need to make any additional changes on Royal Street. Now, we can bring that back again. The last public hearing we had was not terribly definitive, if you will, in terms of public feedback and based on the number, because what we were looking at there, if I recall, at the number of businesses versus residential, was a split neighborhood. It seemed to be working – we were doing fine where we were at based on the last public hearing. Again, I will be happy to recount that. That is off the top of my head.

Dunn: Well, one of the other suggestions that I had was on, I think it is North Street, could be handled similarly as Royal Street – and that would be allow people in downtown who have residences have permits and those permits would allow them – when the permit is affixed to their windshield – then somebody enforcing would not issue a ticket because they have a permit to park there. Whereas, for example, on North Street, I think you can get additional parking if we put a meter, i.e. this one meter system per the block. On North Street west of King, I think we could pick up some additional parking from folks visiting the courthouse. But the people that live there can park normally after hours. They did not have to pay the meter because they have a permit to park there. I think a similar thing can be done on Royal Street, or it could possibly be done in certain businesses much like we are talking about payment in lieu. There might be businesses that would want to pay a higher fee to allow for permitted parking. Just an idea to throw out. But, today it seemed like the concept of permits, which we have already used in town, so we have, I believe ordinance that already addresses permit parking because we do that on other streets...is it North Street again or is it...

Wells: There are three or four areas that have a residential permit parking program.

Dunn: So, this would allow us to just plug and play that same concept and would allow for people leaving in the morning, coming back in the afternoon. The businesses that need it for most of the day, they would have it and then their customers are paying for the parking meters, but the residents are not having to pay for parking meters. So, that is – and there are a couple of streets that I think we could possibly maximize some additional parking spaces. I do not have that with me, but I did know about the ones on Loudoun Street and Wirt. One or two parking stations per block rather than local parking meters and also using the same type of system for the parking garage. Looking to get automated.

Wells: The one comment that I will make – I really want Council to have the discussion – which is one factual comment we are finding is that given the amount of on-street parking is that the kiosk type of parking may not be cost effective on the streets. Clearly it is in the garage. No issues there. On the streets, what we are finding is some of the preliminary work, and I think that is where the memo you have attached to your item speaks to what some of the costs are regarding the use of kiosks or the one system type – you take out all the meters – go by spot 10, put in money for that. I don't know that we would come out ahead on that. That may be less cost effective than what we are doing now. There might be a way to still do what you are suggesting, Council Member Dunn, maybe do it with a newer style, but unfortunately it will be a meter at the spot as opposed to the one singular item, but we can continue to look at that. Some of the cost numbers that we came up with were pointing us in a different direction.

Dunn: The other thing to take into consideration – that is again, because we are making about \$16,000 – if my memory served...about \$16,000 in meter fees, but then you also have the cost that you are employing people to go take the funds out of there, to monitor the fees and so forth. You also have the aesthetics. And as much as I love bagged meters, as a beautiful thing to see, I would rather not be seeing that. And I think one small kiosk that is a quarter of the width of that podium looks better than a bunch of...

Wells: Aesthetics, the kiosks win out. But, one question to add to your list of discussions to where you want to head with parking overall is parking rates that we are charging are fairly low. Even if we were to take out some of the costs, whether it is staffing or having to drain the meters with the coins, we may want to have a conversation about what we charge for rates on the street. Again, if we are trying to put those nickels, dimes and dollars into a fund to help improve parking, whether it is a structure or add additional spaces on the ground, or improve signage or buy an app system that can direct people to where those

spaces are at, you may want to look at parking as something that is a limited commodity that has a value to it. Again, that is a policy discussion.

Dunn: There is a – and we can go back and forth in this discussion, but there is a cost to free parking. And I know that since we have a couple of representatives of our Economic Development Commission here tonight, it would be interesting to hear how much more business the downtown merchants receive when they had free parking for a couple of months around Christmas versus when it was paid for parking at the same period years before. Frankly, I had seen what being a downtown merchant myself or at least a downtown business owner at one time, I personally witnessed business owners using that free parking during that time and that was not quite the idea that we were looking for. But, let's see – I think that was it for – what was the cost of the kiosks?

Wells: Scott, do you recall what the kiosk numbers are?

Parker: Between \$8,000-15,000 each depending on the functionality.

Dunn: Okay. Any idea how many of those – how many blocks do we have meters on right now?

Parker: The main issue John is referring to – if you take Loudoun Street, for example, for the improvements that we just did – typically what we had is you will have an arrangement where we will have two spaces and a big driveway, two spaces, driveway, another two spaces. We looked at about \$10,000 each for a kiosk on each side because all communities that do that, do what you said they do – what you had suggested which is have a kiosk on either side of the block for if you park at one end you have a convenience so if you are going in that direction you do not have to walk all the way up the block put your money in, come all the way back and then put it on the dashboard, whatever, and go the other way. What we found is we just did not have enough spaces per block to justify having a kiosk at two ends. We looked at a variety of locations, notwithstanding the removal of parking on King Street. We looked at Market Station, where it is the same scenario where you would have one space, then a long route open for a fire hydrant or what have you, then to put \$25,000 of kiosks at either end just did not seem cost effective to us from that analysis.

Dunn: How about – I know this is probably wacky, but why not just put one kiosk in the middle?

Parker: The possibility is there to do that, but even with that, you would have one kiosk that would be serving seven spaces that would be over an

extremely large block area. That would be a pretty significant walk to that. That could be done, yes.

Dunn: And, the few places that I have seen them, in DC and in Alexandria, their blocks are much, much longer than ours and the distance to walk to them is less than 100 yards that people are going to have to walk, I think, from any parking place in town to get to a kiosk per block. The issue is to see how few we can get by on and what that cost would be.

Burk: Well, a couple of things. One, again I would think this might be a question that we would want to ask Economic Development. Sorry, Jim. If I had my way we would not charge for any parking. We would leave it open and have it accessible for anyone as they wanted it. But, if we are going to keep the fees, then I would be interested in finding out what the business community thought would be accessible – not accessible – what would be a good fee to charge. One thing I would like to see on the list is having some charging stations. Adding into the garage area. I looked at the list that said what problems are we trying to solve and I would have put them in a little bit different order. I think that communication of available parking is something that we need to work on and improving the experience and uniformity of lighting, I think we are beginning to work on that. Those were the things that I would be looking at. If I were to look at it, some of those meters are not even used anymore. They have the red cover on them that is now pink because they are all faded from the sun. I don't think they are bringing us any great amount of money. At this point, I would be looking at no metering and no cost at the garage. But, I would most certainly be open to the discussion if someone would like enlighten me on why it would be better to keep them.

Martinez: No comments.

Wright: So, a couple of things. John, pulling up the email I sent you the last time we deferred this conversation...

Wells: And I am going to write it down this time.

Wright: So, the first thing is, with the parking garage, kind of following up on what Council Member Dunn brought up – the gates and the gate houses go and you replace those with the payment stations because the one thing I have watched this ever since that garage was built – people see the gates and the gate houses and they back out and they leave. Even on the weekends when the gate is up, they stand there and they stare at that little ticket thing for like five minutes to figure out if it is free. I remember way back when I was younger standing there waving people through when I was at the movie theater on weekends – go! So,

if it is – if the guard towers are gone – and better signage and if you have the kiosks there on the center of each floor, on Saturdays or Sundays or whatever will say “Free” – go away. So, it is a little easier to manage. Get rid of the gates, replace them with the payment station. That also allows us to take credit cards because fewer and fewer people are carrying cash now. The one thing – right in the garage is it a dollar an hour now?

Wells: I think the first hour or two is free and your maximum rate is five dollars for the day.

Wright: Okay. It is like a dollar an hour?

Wells: It is like a dollar an hour after the first free period.

Wright: Did we ever get that synced with – I know the first two hours are not free, obviously on the street, but is it a dollar an hour on the street or is it something different?

Wells: It is 0.25 for 30 minutes.

Wright: But to sync it, you have also got to take plastic. I would – I mean I would like to see a mock-up of what we would do because after we did the – and you got the voicemail from me – after we did the Loudoun Street improvements I said don't put meters back up until after we can talk about this because if they do a stand of meters along that it destroys half of what we did to improve that block, so I would like to kind of see what the kiosk would look like and I do agree with Tom, one kiosk on the center of that Loudoun Street block is a reasonable walking distance.

Wells: I think that is going to be the discussion to have.

Wright: I think a picture would be worth...

Wells: We can do that.

Wright: Worth more words. That is something we need to vet through, because we are going to kind of get the discussion of if a kiosk doesn't work, do we really put the stand of meters back up? Yeah, I know there are credit card accepting meters, but we went to the effort to make more space and make that feel more open and then we are going to put a stand of metal posts back up.

Wells: We are back to two hour free parking and shopping.

Wright: And that is the decision. Do we just give up the two hours free and chalk tires. I think that is where that discussion goes. Then, following on the meters, as Council Member Burk mentioned, the far out meters that have been bagged for a couple of years now, as an experiment...I think it is time to figure out the results of the experiment. Either get rid of the meters or take the bags off. Then, at the Liberty Street lot, I will tell you what the results of the experiment – the six spaces that have a meter and the other 500 that don't – unless you are going to buy 500 meters, which I know you are not, those meters are gone. So, that was that. Clear signage and I think we have made progress on this since we last talked about it, but the signage has to say "parking".

Wells: Yes. No letters.

Wright: Not random names. You have made progress on the permit parking thing. People know they can actually park down there now. We have talked about this a little bit. Get the restrictions off the Liberty and Harrison lots. People can actually park there.

Wells: We think they are gone.

Wright: And then, the Liberty Street lot, I mean at some point we have to make that look like a parking lot. There are still the old abandoned buildings from when that used to be the town shop and all that.

Burk: It still is, isn't it?

Wells: Actually, those are now all used.

Wright: Okay. We need to make it look like – sic Bill Ference on it.

Burk: He can fix anything.

Wright: It needs to look a little more inviting than it does.

Wells: Fair enough.

Wright: Let's see here. Meters and then, the changeable sign at the county lots. I know we have them. They never get flipped around. It needs to become someone's job. And then, that is for the main county lot and then for the other lots – the court lots – the same thing. We need to get a way to flip those signs around – even if it is something that is mechanical that is on a timer that does it. And then, this is more of a longer term one – so the county is going to do something with the courts lot. They are probably going to do structured parking and/or expand the big lot – Pennington. As the county is looking to do that,

we should look for opportunities to partner with them because if they are going to build a garage and we pay for an extra deck that is a win-win for everybody.

Wells: And that is one of the ideas. Before they were thinking of a parking deck at Pennington, one of the options of using our small amount of cash for Payment in Lieu was when they were originally going to just expand that lot as surface parking, we were talking about using our dollars and just expand it even further, adding more spaces. So, whether it goes horizontal or vertical or both, that is a good opportunity to partner.

Wright: You have got a lot of parking that goes stale after 5 and on weekends because there is a big sign that says don't park here that if we could strike the right agreements and flip the signs around at the appropriate time, that frees up a bunch of parking. It is just a matter of getting folks aware of it. But, every time – I know I park at the county garage, but I park at the county garage and head over to Puccio's – every time as I am walking out of the garage, I see the thing that says I can park here on weekends, but no one outside gets to see that.

Wells: One of the things we might want to reapproach the county for the next time we talk to the County supervisors is to look at the opportunity for a different type of sign. That is where we ended up at – was not the first choice. The first choice was to have something actually on the building that would protrude out as opposed to having to drive by.

Wright: Then you could just get it to flip on a clock.

Wells: That's right. It would be good to ask that again.

Wright: When we asked, did we say they had to pay for it?

Wells: No, we offered to pay.

Wright: They still said no?

Wells: I think we need to raise the level.

Wright: Did you not ask nicely?

Wells: I asked nice.

Wright: We will have someone else ask.

Wells: We will have someone else ask, yes.

Wright: So, I guess this is a process question. So, we have thrown a bunch of stuff out. You have sent the same memo a couple of times and we talk about it and we do this. So, assuming the after action here is you are going to take a couple of these and bring it as something – a structured conversation?

Wells: What I am hearing is go to EDC. Get some feedback on some of the items we have talked about. Maybe we will wait until after everybody talks, but if there is a general direction in certain areas, or at least narrows the field a little bit, then I can bring something back very specific as opposed to a wider range of options. Simple question that I can tell you makes a big difference in the universe is do you want to have free parking in the garage or not and so if that is where everybody is at because one of the things that stalled us before was there was a discussion as to whether we wanted to have free or not – how to tie that in with the downtown improvements because we can put the equipment in to have paid parking in the garage, but if you are going to have free parking, you don't need it – or you don't need the kiosks there. So, this is very helpful because I have certain on-street items. I have got payment in lieu items – what could those dollars be used for. There are a couple of strategies for meters on the street which is strike, kiosk or meter...

Burk: Or none.

Wells: Or none – well the none is the strike. Well, actually there is a none which is you could park there indefinitely. We could talk about that one because of the impact of businesses parking in front of their stores.

Wright: Spaces won't recycle.

Wells: What we are going to do with the garage and then long term, is if we want to try to start looking at a model like a Frederick, Maryland, or a Staunton, Virginia. Unless we want to pay for the parking out of the general fund, do we want to encourage whether its proffers, whether its payment in lieu and create a little parking – I don't want to call it an enterprise fund – do we want to look at partnering opportunities with the county, private developers to add more structured parking? I think the key there is are we going to charge? The street parking does not generate enough money to make a difference. It is going to be the garages.

Wright: And the garage has more operating costs which is why I advocate – I advocate for charging in the garage for two reasons. One, it has more operating costs and two if you make it free, it becomes – unless you are going to add enforcement, and chalk tires on the first two levels it is

going to get overwhelmed with commuter parking. In the street, I think you have got to do a balance of okay to continue to have us be able to collect fees we do – this is how much it costs us for the credit card swiping meters or the ugly line of poles or we do the kiosk and then we figure it out – is the kiosk or the cost of the meters and the cost of operating the meter program worth it or do we just say two hours and chalk them and be done with it? I think two answers – what we are doing with the meters on the street in downtown and overall parking on the streets in downtown and the plan for the garage to get rid of the guard gates and do kiosks or whatever we are going to do there – those are things we need to know before we break ground on King Street.

Wells: And we can – based on what I have heard so far and any additional conversation – we can bring that conversation back with feedback from the EDC.

Wright: I think you have got a frame with what you hear now – with what you guys know professionally – I think you have got a frame of recommendation. Let EDC laugh at it, provide feedback and bring that back for discussion at Council fairly quickly.

Hammler: I will try to compartmentalize my comments because ultimately in active discussion so back to, I guess, summarizing the first and then perhaps parking these ideas in key places in terms of short term, some of the longer term, mid term, and long term around their utilizing and managing existing spaces to create partnerships, reducing demand for parking in a creative way – even in the context of what we were talking about in the HEAL presentation and backing into the revenue question, which is how much do we charge based on specifically what we determine are our goals for the requirements for parking from the premise that we are not going to have citizens fund this on the back of the taxpayers. Rather, we are going to come up with a plan to be able to anticipate what the ongoing need is based on goals such as economic development long term. So, a couple of specific things: 1) that in these major categories, if you will, there are several things I have already heard and that we have talked about before which is – as Kevin mentioned, you know eventually soon we will be in a position to have the town talk to the county about a partnership on the courts. But in the meantime, we know that there is underutilized surface parking, so it is a question of – you look at the North Street – if you look at the County garage, lack of promotion in terms of the availability on peak hours that the parking is available, but the coordination between the outreach of the customers coming downtown is not being properly coordinated, if you will. I think the town can be a broker with that working with private sector businesses that may want to take the lead in getting many different private sector involved where that kind of

cooperative partnership would make sense in the short term, so I would certainly welcome having staff engage in determining where that kind of operation could happen if private sector businesses that may want to be able to have valet service and have cars park on North Street in the evenings – to bring – you know to have a hub and spoke ability to get their customers in a very business friendly way to where they want to go. You know, the context of reducing the demand for parking, if you will, I just wanted to re-discuss something that I had mentioned that I had heard at DATA, which is a private sector application. Again, I don't think that the government has to pay for this application. We may just be a facilitator but this application called Ride Scout, which the Dulles Area Transportation Association brought forward is literally an existing application where citizens can go on and find out how to get somewhere to get a ride very efficiently to where they want to go. I think it has to be vetted and it makes sense to vet something like that in a higher economy of scale type of situation, so I would welcome having staff kind of look at that or have the EDC look at this particular application that might be cooperative with the county to see if that makes sense as an innovative opportunity, to again reduce the need for parking and as far as the question of do we pay for – continue to have folks pay for parking either in the garage or elsewhere – I think we need to have a very specific determination once we determine that we are leveraging the existing surface parking based on how to manage different peaks, if you will, when we are getting more and more folks coming downtown for all the activities we are going to be generating and all the good opportunities for some of the capital projects going on and we know that we talked about things that may require technology that may in the long term – once we determine what the imbalance is with spaces that we still need. Certainly some of our long term economic goals, some big picture catalysts for commercial development downtown that may require us to need structured garage that we need to back into with both the parking number as well as it make take us x number of years but if there is going to an anticipated pay rate to get us to where we need to go and we are communicating what those measurable goals are. The other kind of final area for me is more tactical and short term and I would appreciate having staff take a look at where we can determine where there might be requirements for other targeted customers that we want to cooperatively facilitate the parking – not those that are coming in the evening we think for a long time, or coming for a specific purpose and might just get a ride back and forth from a surface lot, but many want a pedestrian drop off or what I would call a quick pick up option, so if staff could take a look at Loudoun and Market Street and look at need for turnover, which would be quicker than chalking the tires after two hours of free parking so that we have this more of a balance between the needs of the parking based on the targeted customers, you know, the orchestration, if you will, in terms of

trying to meet the demand, or in some cases reduce demand to be able to get people where they need to go to downtown. So those were kind of – I could summarize the few, but I will write it down, but it is asking staff three very specific things in terms of the creative partnerships with the county and private sectors to leverage surface lots, looking at reducing the need for parking which would be having staff look at the county – be able to bring back to the EDC something like a Ride Scout – and looking at the parking fund as it relates to determining the parking charges that we need to charge to get us where we want to go but have that as part of a plan so we can measure it and get us where we want to go with measured goals and I think part of that will, in fact, a little more research on this Frederick, Maryland, I think case study, which is, you know, wait, wait, wait and then build a garage or are there specific goals we are trying to achieve and do we need to come up with a different type of partnership, structured parking solution to get the revenue that we need to make that happen.

Butler: Okay, John. I have a couple of things that seem like there are some on Council that would like to make the garage free and some that would like to continue to have it charged, but I think there is a – it seems like we are moving towards a consensus that we really need to get rid of all the hardware that is outside the garage.

Wells: Absolutely.

Butler: Plan to do that as soon as possible is probably a great idea. Now the street parking – I am not in favor of having free street parking because you want to encourage turn over on the street parking. In fact, a lot of towns have found that while free parking on the street feels business friendly, it is not. In fact, what you want to do is, you do not want to match the parking garage pricing on the street. You want the street to be significantly more costly than the garage. That encourages turnover and reduces significantly the chance that someone is just going to park themselves in front of the business and stay there forever. You don't want that. You want to encourage people to move into the garage and I they happen to go out of the garage and they spend four or five hours downtown, great! That's exactly what we want. We do not want somebody to park their car in front of a business and stay there for four or five hours. That is not what we want. Now, whether you do it by parking meters and they do have pretty good parking meters nowadays, or you do it by kiosks that are in the middle of the block or something like that. I think that is a fair, reasonable thing. I will not be in favor of just going around chalking tires because – in fact, I don't think it really works and the time variability is too high. You know, if you happen to be parked there right after the chalker left, you get a lot more free time than somebody else. In my experience, it just causes stress on the

motorist, because they do not have specific indication of when the person is going to come back. So, it is more of a gambling spot. And the last thing I heard is that we should do something – we need to come up with some options for the Liberty Street lot. You know, do we just make it better so that it actually looks like a parking lot instead of a weird thing in the middle of the somewhere. Should we do a PPEA with a potential parking garage. Do we do something there so that it give Jan Zacharias the spots – we promised him a certain amount of spots. We could build a commercial building there. I don't know what the answer is, but I think that sounds like...

Wells: I will package that, send a summary to Council for FYI and also send the relevant sections on to the EDC. I will provide updates on the items you can begin looking at immediately.

Dunn: One other thing, John. Over the weekend, Wirt Street is – what is our parking situation there officially? Both sides parking?

Wells: On Sundays, I believe it is because of the church service that was accommodated. Based on the amount of demand. You do not have that much traffic on that street on the weekends.

Dunn: Something else we might want to consider is – and I don't know if there are any other streets in town where we have special parking considerations like that, but we may want to consider looking at any that we do – that we allow more liberal parking standards after business hours – so those businesses that open up in the evening – people want to be able to park closer, they can do so parking on the street after 6 for example – Wirt Street you can park on one side the whole length of the street. That would be again, something that would either be done through meters or a sign – free parking after 6, something like that. I don't know if there are any other streets like that.

Wells: I don't know off hand. There are always little quirks here and there. We can bring that back. Well, this has been real helpful. What I will do, like I said, I will summarize what we talked about tonight so we don't wait until the next time – we will keep the emails – I will make sure I got this first and then we will keep track of where these different pieces are at. Some stuff can come back earlier rather than later.

Dunn: I was going to say, can we put a date on this? I'd hate to have this thing – it seems like all we have done tonight is rehash everything we have done already. So, I know we were going to try to get a detailed discussion on it but we are still now bumping it off now to EDC and we don't have anything solid that we can refer to yet. June 30, the last June meeting – does that give you enough time?

Wells: There are probably a few items that we can report back earlier, but some of the things that may take a little longer. What I can suggest is, have an end date for everything by June 30. There may be some items that we can knock off prior to that – that I can report back to you on.

Wright: I'd like to knock off the meters and what we are doing with that. We are going to break ground on King Street most likely in the next budget year. You need budget money to buy those things, we should probably talk about it in the next two months.

Wells: What I will do in the summary is put in order the things that have to go first based on some construction decisions and then items that maybe we can resolve quicker – other things that get referred places may take a little longer. We will work with the June 30 end date for everything – at least get it all back here, but I will give you a road map between now and then with the different pieces.

Dunn: Thank you.

Burk: I think we have accomplished – I don't think this was a rehashing, totally. I think it was a – there was some things that we have taken care of and gotten off the agenda and we just added some more stuff. So, I think...

Dunn: There wasn't any action – that was the point.

Hammler: Can I just say two other very quick things? The technology, which is something we have discussed in the past, but the garage. If there was a way to do what Dulles airport does and say you know there are 37 spaces on the second floor, there are you know, 75 on the top floor. It just gets back to managing – directing people to the garage. How much is that going to cost? Does that make sense? And back when Tom and I were on EDC we – that was when we discussed meters way back when, Tom, if you remember – that report which was a \$50,000 consulting report – what I do recall was that the meters and the staff time would have cost more than what we would have made in the meters. So, I know you are going to be managing that through this process as well. I just wanted to make sure that the revenues including what we have to pay for the technology all make sense.

Wright: Tongue in cheek – is there a way to do what Dulles does? They just randomly change those numbers. There are not actually those spaces on those floors. I can do that with a message board and some random numbers that change every couple of hours.

Hammler: As long as people know that there are plenty of spaces in the garage during the day, we are good.

Butler: As long as we are directing people to the garage, we are good.

f. Economic Development Update: Ambassador Program

Jim Sisley, Chair of the Economic Development Commission, gave a presentation on the Economic Development Commission's proposed Ambassador Program.

Key Points:

- Concept would increase uncompensated economic development resources
- Would report trends that affect the commercial tax base to staff and Council
- Goal would be to help protect the town's commercial tax base
- Ambassadors would be acquired in the same manner that other Boards and Commissioners are acquired through an appointment process
- Program's effectiveness would be tested
- Training would be provided to Ambassadors

Council Comments/Questions (*Verbatim Discussion follows*):

Hammler: Thank you for the briefing, Jim. It looks very ambitious. I know it has been coming for a long time. I guess my only question is do you think there is a way to kind of start small and just kind of get started and bring back some feedback because this seems extremely comprehensive, if you will. Recruiting and preparing a group of ambassadors.

Sisley: Simple answer is yes.

Hammler: Great.

Sisley: I am approved to bring the concept forward. I can offer an opinion about that. But, yes I believe it is in the best interests of everybody to start in a small format and not employ 40 or 50 ambassadors. Just do a few.

Hammler: I just appreciate the fact that you all already are great ambassadors – our EDC. So, thank you for all you do.

Wright: A few things. [inaudible], so I am comfortable with the concept, but I think the devil is going to be in the details. One of the details I think that we are really going to need to understand is the training and the vetting process and kind of who is going to qualify and select those ambassadors because while they are not going to be on town payroll and whatever, they are going to be – in one way or another

representative of the town so you can make sure they have the right information and the right training and are not misrepresenting the town either intentionally, God forbid, or more likely unintentionally. To make sure they have the right information. The one thing, I am worried about, while this gives us additional resources, it is not without a resource impact. So, there is a resource impact up front for that training and that vetting process. A lot of that training process would probably be within the EDC and Economic Development staff, but it is going to involve other areas of, you know, HR and Legal and those things of kind of what you can and cannot do. When this comes back for kind of final direction, I would expect there to be some fiscal impact statement along with it of, you know, what the staff time impact is. The other thing is, I would also expect a plan of probably staff, of where you have got, you get the reports, they get circulated out, as we had talked about earlier today, those reports are going to have – they are going to generate actions. So, who is going to then have the responsibility to take those actions from those reports or those meetings of hey I talked to XYZ Business, they have this concern. We need, you know, we need XYZ Department Head or whatever to get back to him. Who is going to be responsible to capture those action items, give them out to the appropriate staff resource and then make sure they get closed so we track them. The good thing about getting out and talking to folks is we get more information. The bad thing is the more you go out and talk to folks, the more work you come up with. As a project manager, I know there is times the technical people on my team say “please stop talking to business folks and asking them if they need anything because they keep saying yes”. So, that’s I think one of the things that is not identified there. We have got kind of the reporting process but kind of what is going to happen to the reports – how are those going to get administered? The worst thing that could happen – even if we start small, we have five folks go out, have five meetings, there are ten action items come out and we don’t do anything. Now we have five people that are more mad than they were before.

Hammler: I think that is the benefit of starting small. So, that we can look at this in terms of the process.

Wright: Right, but no matter how small you start, if there is not a plan to take that action item and give it to someone else, it is just a question of how many people you made mad.

Sisley: A couple of things. There is a lot that’s not on there because it is not finished. It is a concept. We had, as I said, on the EDC map for six years. It is widely published. What we are trying to do is come to Council and just basically take this now and tell us to stop and if you think we have a chance at success, let us go back and flesh out the

details so we can bring it back. What we didn't want to do is take a lot of time and effort inside the EDC to come up with a full plan and present that and hear you hated it. So, this is an attempt to come and ask permission to go back and finish fleshing out the details and bring back a better, more complete plan. I do agree the goal of the program is not to create a giant never-ending inbox. What we want is to be able to distill from the efforts real information that can help make policies. I understand there are details that we haven't presented yet. We are looking forward to coming back.

Wright: Then, one other that I thought of after we'd hung up is kind of determine who talks to who so kind of who is going to give the assignment list out because obviously there are going to be some businesses that either based on what they are up to or perhaps their past history or a working case, that is going to be one staff is going to take versus delegating to an ambassador or at least it is not going to be a new ambassador because it may not be a fun meeting. What that assignment roster looks like – is there a hot topic business that maybe has a different sensitivity to it rather than the other unleaded 2500 businesses that are out there. Then, I guess, I had a question for staff. I don't know if they want to answer it now or later. But how do you guys engage today. Obviously, you guys have a lot things you do, but what is your engagement process with businesses. Is it more that you get enough folks that call you that those are most of your business touch points or like how are you out there engaging with folks, businesses today.

Edwards: Well, we get calls driven by a sign issue or an expansion issue, so there are some circumstances that generate a call. There are other signs that we get. There are other indicators. You know, we personally missed one – the Ben Franklin. There are other clues and there are other trends that we see and that drives us to talk to a particular business. So, those calls that come in that we problem solve. But, there are also those calls that we see indicators and trends and information that is going out that we think is important to have a conversation. And we learn from you all.

Wright: So, would you say its 60% reactive and 40% proactive contacts or is most of it reactive contacts at this point.

Edwards: I would be guessing. I would really be guessing. I would think it is – we have over 2700 businesses existing in town and we get them in a variety of mechanisms. We have valid conversations with them at Chamber events, at different functions. Those can be real meaningful conversations and I would qualify those as important conversations.

Martinez: I like the idea of going small. One of the things that concerned me is you talked about the retail gap and how you are going to measure that and what kind of market analysis is going to come along with that. What the shortfall is between what we have and what we could get – what could make downtown even more viable. The other one is you said you identify trends. How did you go about doing that? Right now, I don't think you really need to answer me as much as understand what I am trying to get at. The big thing is when we start talking about these gap analysis' and these trend analysis and we had made mention about measurement – how are you going to measure your success against what we are doing today to how this helps? That is it. You don't have to answer now. Just ingest, think and maybe come back.

Sisley: We will make sure we come back – if you approve this – we come back with the answers.

Burk: A couple of things – the one thing I think is very important for the Economic Development Commission, in my opinion is if we approve this, we need to be committed to it. It may require additional staff and with them able to have that information before they go into a tremendous amount of detail they are going to come back “oh we have to hire an additional person and oh we are not willing to do that at this point budget-wise”. So, I think it is very important that we – somehow we can get that – I don't think we can do that before we get all the details. But, there has to be that fiscal impact before they go into a tremendous amount of detail, as far as I can see. Because, you are going to end up doing all that work. Like I said, then it turns out that you will need additional staff or won't. That is what people have to know. That is what Council is looking for. I don't know how to do that. John, do you have any ideas on how to look at this before they actually go into details or should we let people work on it and then have them come back?

Wells: My thought would be to have the Economic Development Commission vote on it. I and other staff members can work with them as they are working their way through it. Part of the questions can be what type of conversations are we going to have and we can speculate now or when we get to the EDC about follow-up on signs, follow-up on utilities, follow-up on zoning questions, and how those are going to be funneled through to be followed up on by the staff. I think we can figure that out without getting to the very end. I will need to hear a little bit more but I think we can work cooperatively together to bring something back. I do not think we have to do one versus the other. I think we can do it together.

Wright: Kelly, if I may on that. John, would you be able – I guess as you do that conversation, maybe determine a threshold of – hey, based on the conversations you are doing – we shouldn't be going out and generating more than blank action items so that's – we can't accommodate more than five ambassadors on the street.

Wells: And that's a good way of looking at it. There is going to be – certainly going out is going to generate conversations and follow-up. Where those questions lead us and how many questions are coming in at any point in time, yes, we will need to look at some thresholds.

Hammler: If I may jump in on the topic, because it raises a red flag. If all of a sudden it is triggering the requirement for more staff – I am not suggesting that is what you proposed – but if it does trigger that question, this becomes counterproductive because the goal is to increase commercial revenue to offset the residential tax burden and if we start increasing the residential tax burden for this type of program, it becomes counterproductive, period. And then, the other thing is – you just reminded me of this other key thought, which is, you know, back to the fundamental premise, which is we are trying increase commercial tax revenue, this has I think an important facet of, kind of if you will, maintaining the existing business base, but perhaps at the opportunity cost of increasing and diversifying the economic base with new business development. Those are the areas that we would want to increase resources because there is going to be a high pay off.

Wells: If I may, let me speak to the issue of staffing because I don't want it to look like just because we go out, we talk to people, there is going to be a need for more staff. Right now, if a business – there is some level of confusion. Let's use the water availability fees. There is an example where if a business knew up front by visiting with an ambassador what the rules are, or what the requirements are, then there is likely to be less of an issue on the back end. I can tell you personally how much time I spend along with Marantha, Jim and some other staff members on the fact that a particular business did not have that information up front. So, in some ways, while we may generate questions on the front end, we may be saving time on the back end. Sign issues are another one. Where if the business knows what – truly understands what the regulations are on the front end with signage, that may result in less violations or less concerns. Just because we are talking and generating follow-up, that follow-up may solve more lengthy follow-up on the back end.

Hammler: As long as there is an efficient process to capture where there may be some level of misunderstanding and that becomes a trigger for better communication on the website.

Wells: Absolutely.

Hammler: In other words, to broadcast what we are finding is something that needs to be communicated.

Wells: I can tell you that any time an availability fee problem comes up, it is a very time consuming issue because the business does not know it up front, they are usually at the tail end of wrapping up their business deal...

Burk: Why wouldn't they know it up front?

Wells: I will let Jim explain why they don't know it up front.

Sisley: Without naming names, we had those come after they signed the lease. After they spent an very large amount on doing their interior improvements only to find out when they came to get their business license, why they waited that late to get their business license, is a problem, but at that discussion to get their business license – at the counter they said, they talked to the water department about the availability fee and they were like “well, what's that?”. So, it was literally everything was stopped.

Burk: Does that happen often?

Sisley: It happens more than we want it to. There have been other incidents like that. Our [inaudible] comes from businesses trying to open and being surprised by additional layers of policy.

Burk: So, how would the ambassador program help that? Now, I am a little confused. How would your ambassador – wouldn't need need to come in until after?

Sisley: Just think of it as a [inaudible] you would have Joe Citizen and they want to open a business. They want to start a cheesecake shop in town. So, as a real estate professional I will have a discussion that they should stop looking for real estate and go to the town and find out what they need in order to have that kitchen and what they want before they look any further because that would disqualify some properties and make other properties look okay. People do that, they are driven by this curiosity and the uninformed glimpse of potential [inaudible]. It makes them blind. We can introduce them to what the policies are so that they make a decision about a location in as qualified a fashion as possible. That is not the only point – people want to put up additional signs. They may want to expand their footprint beyond what is

allowed, they may make a decision without permission. It increases the number of discussions with businesses so that they know where the policy interface is with the municipal corporation.

Burk: How would you do that if you don't know they are opening a business? Or am I asking for too much detail at this point?

Sisley: You are probably asking for too much detail and I don't have any answers to it. Businesses are all on their own. They never touch or talk to anybody else. But the vast majority, we could.

Burk: I think this could be a tremendous asset for the town, if we could get it working. I think it would be very exciting. I don't know of any other town that does it, do you?

Sisley: There are others that have done it successfully. The Loudoun Chamber had an ambassador program for quite a while and the information that came out of it was "invaluable" to the Chamber.

Burk: So, we could actually go look at other locations and how they do it.

Sisley: We would have to provide that as a precursor to the presentation.

Burk: So, it would be a great opportunity to help businesses and do all the things we want to do. I do have – and I would be very interested in the details of the training – what you talked about. I had envisioned going and talking about signs. I had envisioned them talking about their business. How is your business going, what is it doing, how is it working, is there something the town needs to do to help? I did not realize we would be getting into a little more minute detail. That's fine. I will be – that is going to take quite a bit of training.

Sisley: If I may? The discussion within the EDC was more about the positive and negative trends that affect a business and less about becoming staff – a replacement for zoning staff or any other staff member. That is not the paradigm. I know this is a paradigm shift in the way that the Council thinks about people that represent the town, but we are, that is the intended purpose is to go out and sit down and identify positive and negative trends so that we can bring those back earlier than we have in the past and also have those much more granular discussions than what we have had where we have asked people to come to a larger room for discussions.

Burk: The other one I would be very concerned about and you are going to have to really work this is conflict of interest. You are going to have to

be careful that you don't get realtors helping a new – I only picked realtors because you –

Sisley: That's okay.

Burk: Getting – advising another realty company and maybe not giving them the whole information because it's a competitor and there would be a problem with that and that sort of thing, but again is going to come out in the details. I understand that. But that is something...

Sisley: That is something a really solid policy...

Burk: That is going to be really important. I think that is going to be something you are going to have to work on. Those are the two concerns that I would have, but I think this is a great opportunity. Gosh, you know, the fact that you are willing to put all the time into this is great.

Dunn: Well, I am all for this. I think the – I mean the very last words I left with the EDC when I left the EDC was that I hope that you get out and get more EDC members to the community and get more businesses recruited. I think that what I have heard so far tonight, though, was that this was talking more about business retention than business recruitment. One of the biggest things for me, and as you know, Jim, and for anyone else who is in business, nothing happens until the sale takes place. Until we sell Leesburg to prospective businesses, then as already has been mentioned, alls we are going to do is try to maintain our current tax base. What – I look at this as an ambassador as somebody who goes out of country – outside the town limits. Goes and gets businesses. Otherwise, you are just a delegate. That's semantics.

Sisley: [Inaudible]

Dunn: Who cares what you call it. I am more concerned with the fact that we need to be better recruiters of new business. That is always one of the questions that I have. How many businesses can we point to from start to finish that the Economic Development Commission or Department can point to from start to finish that we brought into the town.

Sisley: Can I answer? According to the Dashboard, something in the sense of a dozen and in excess of 100 new jobs.

Edwards: Since January. The Hubzone has been in place since January.

Dunn: So, you went out and talked to a dozen businesses and said you need to do business here in Leesburg rather than where you were thinking of doing business.

Sisley: Or more. [inaudible] historic underutilized business zone that we were graced with as a result of the census. We put on a number of public events where we published it, advertised for it. We invited people through various different mechanisms. They would come. We did presentations. Those people have decided to open their businesses here and hire more than 100 employees.

Dunn: Great. If you can get that list for me, I would love to see it. Hold on Katie. They will get it for everybody, I am sure. How many commercial realtors have you talked to? How many of them are in Leesburg or how many of them market to the Leesburg community?

Sisley: That is a count that [inaudible]. I can't tell you the entire group. I can tell you that we have two events every single year where we invite a lot of realtors from around the region. We also invite new businesses to come. It is one of those concise ways for somebody to see spaces they could occupy in the Town of Leesburg so we have – do we have 60-75 realtors that we communicate with?

Edwards: Close to 75.

Sisley: Okay, 75. If you have an active business license doing real estate – commercial real estate – I didn't count any of the residential real estate brokers that are here – we touch them every single time we have got a piece of real estate. [inaudible] the town subscribes to Costar, which is a paid subscription service. Actually Costar links to [inaudible] to get a lot of listings up to date [inaudible].

Dunn: How many business property owners do we have in Leesburg? I'd be interested in finding that out. Do you know, Marantha?

Edwards: I do not have that information. [inaudible]

Dunn: I don't care if they are on our [inaudible] or not. How many business property owners do we have because those are the people you should be – you talked about a lot of issues about dealing with signs, utilities, zoning – they are the ones who are making the decisions as to rent or sell to that business. The renter is there, but they are the ones putting their name on the line. It would be good if those people know so that they can ensure a successful business occupying their property – that they know what the town issues are. They can tell, but it would be good to know that we have at least done our job in informing them. I

am not talking about where we have good or bad relationships, I am just recommending do we know who they are and are we willing to know what leads in the town are to help ensure their business is successful by having a good sale or rental. A company goes out of business if their property does not help them.

Sisley: Part of that answer is yes. I did not answer your first question [inaudible]. If you go to a business and they take care of you. You tell a couple of people. You and I go have lunch. I will tell you that I had a business experience and I know that you are looking for that – you need to go and frequent that business, but if I go someplace and they really make me unhappy I have been known to tell 10-20 people, post something online and that conversation goes viral and it goes broad. So, the answer to the positive side of the equation where we are reaching out to try to bring new businesses into our community – the best thing we can have for people who have businesses in our community that will have that two or three person conversation – I will hear somebody is thinking about a new business location – they are the ones that are going to tell them please come to our town because these people are very business friendly. How we get them to do that is by a more frequent touch, [inaudible] so they understand what the town can and can't do. So they understand what things even positively or negatively affect the business so they can help Council create proper policies.

Dunn: This may go back to again some previous areas, how would a prospective business know to reach out to an ambassador? I know that they could possibly look out to – that may go to the combination of dealing with a realtor, dealing with the property owners and so forth. What can you do – you mentioned it, Marantha – that you talk about it quite a bit – what can you do to actually stop a business from actually going out of business?

Edwards: Just as a point statistic, 80% of – and this is a statistic from the International Business Development Council – 80% of job growth comes from existing businesses, so that's not to say that prospecting isn't important. It certainly is, but job growth comes from existing. To answer the question on trying to help businesses, that is part of the conversation to have with businesses is to go and find out if they are having issues with hiring folks, are they having issues with retaining people, are there lifestyle issues in the community. We often talk about the cost of living. You know, those are the kinds of conversations that we try to help the businesses with – we are not looking to help folks with their business plans, necessarily, but it is ways to exchange ideas and share those conversations that I have had with somebody else that may say Barbara Notar's business is at risk – how can I help her? What

kinds of ideas can I come up with to help facilitate additional deeper conversations to help her business get back on track, whether it is referring her to the SBDC, whether it is referring to a number of other opportunities. So, those are the kinds of conversations, if somebody is interested in having those conversations with an economic development professional.

Dunn: Okay. Let's see. You mentioned, Jim, something about a business that – businesses you looked at that were helped to prevent leakage, usually to the east. What has the business community done to absorb some of that leakage since you had those two meetings?

Sisley: I am aware that my [inaudible] impending failure or recent past failure of some of the businesses that are highly dependent on discretionary income – hair salons are in a particularly difficult position.

Dunn: You had to pick hair salons? You had to pick hair salons?

Sisley: We had leakage or a gap, if you would, so hair salons started [inaudible]. There are some people that view soft goods, design, and interior furnishings. We have a gap in drapes and other soft goods for the home, so they have gone and making drapes and pillows and other soft goods. They have expanded their product line. Just because you explain that to them, does not mean they will get it. Ladies boutique here in town, without mentioning any names, she expanded her product line, [inaudible] she filled that gap and she is selling [inaudible].

Dunn: Have you gotten any new businesses in town to fill some of these gaps?

Sisley: Are you asking me personally, or are you asking us as the EDC?

Dunn: As a town. Have we seen new businesses filling that gap?

Sisley: [inaudible] but the businesses that are taking it are actually the existing businesses and the reason for that is even though we publish on the website the gap analysis [inaudible] there is only so much passive posting of information that you can put out there and there is only so much [inaudible] so the ambassador program is going to kind of [inaudible] and start to level that [inaudible] symposiums that we have where the existing businesses [inaudible]. Now we have a couple business ideas that came, and I can't tell you whether or not they decided to start businesses.

- Dunn:* You mentioned the availability fee issue. Do you know of any businesses that have foregone coming to Leesburg because of the relative – even with the staggered payment process that we have?
- Sisley:* I do and I will tell you that the staggered payment process really helps. It helps most because we stagger payments for people that have water availability fee above \$25,000. I believe what we have done with portability of availability fees is a huge first step. Allowing property owners to transport that availability in property that they own. What that has done is free up credit to help new businesses come in without necessarily having to pay the entire fee all at once. I know businesses that have failed because of the water availability fee, at least that is what they claimed. [inaudible] any business that has come to the town and inquired about the water availability fee and how to work with town staff to get into place.
- Dunn:* I kind of agree with the idea of going small, but I already feel like we have. We have already been small with this concept for seven or eight years and if we are going to go small, go small quickly and ramp it up as soon as we have got some results. The last thing I will say is that as I started, nothing happens until sales take place, but unless you have goals that are measurable and attainable – and I think too often in the EDC, and I go back with the EDC a long way, we talk a lot of theory. I want to see results. We talk about some results, and that is good to hear. I want to hear even better results. We should be looking at this program. I think that the key factor in it is what are the measurable results. We cannot measure theory. We can talk about it, but what are the [inaudible] going to be. Set those goals and meet it.
- Sisley:* I am selling concepts. Hopefully I have been successful. I really appreciate your time. I really appreciate the time that you have given us. Do I have a nod to go forward?
- Butler:* Yes, I think so. Definitely.
- Sisley:* Thank you so much.
- Butler:* I think this is a good idea, but I think it is – we have to be clear on what the mission of the ambassador is. I have heard about three different missions go around the table. Okay, staff supplementation, shepherding businesses through the process, or getting feedback on what friends are and where businesses can thrive, where we may be able to improve things. I am not sure we can do it all and I think we want to make sure we know exactly what your goal is going in to this kind of a thing. One of the things that I definitely do not want to have happen – I don't want this to be like we are going to save a business

program. I do not necessarily want to save businesses. If there is some surprise that a business has that may make a difference in whether they turn around or if there is some piece of advice like here is a leakage report and if you do something else or something in addition to this – that’s a good thing, that’s okay, but I absolutely do not want to spend town resources propping up businesses that should not be propped up. That is not our job. Hair salons – if the town runs out of disposable income or reduces their disposable income and hair salons get hit, that’s capitalism. If Hobby Lobby comes in and Ben Franklin goes out, that happens. It is not our job to make sure that does not happen. If there is a business that does not have a strong of a business model and they go under and they are replaced by a stronger business, maybe one that is more apt to capture more money from town residents, or people outside the town, that is a great thing for the town overall. It sucks for that particular business, but when you look at it from a town-wide standpoint, we can’t be in the business of –

Martinez: Subsidizing.

Butler: Subsidizing, you know, businesses that for whatever reason, just aren’t making it. What we can do is make sure that they have the information at their fingertips and are not surprised and we can listen to trends about what we can do to make our processes effective. Thank you very much, Jim. It was great.

Hammler: I just have a few comments. I think through this discussion, it has been interesting because I think what would be helpful for Council to have as you are coming back with your reports. Hopefully staff has access to this or can collate it along with Council’s goals, but conceptually – the premise was increasing commercial revenue. We talked about, well 80% of job growth comes from existing businesses – so you are going to go and talk to existing businesses, presumably because you want to increase jobs and we talked a little bit about maybe disposable income is decreasing and so there is a leakage of certain businesses based on decreasing disposable income. Those are important points and pretty interesting trends, John, which I think gets back to I think the whole notion from a macro perspective is we are trying to focus on commercial revenue. We are trying to focus on those jobs that are probably more high wage in nature, because guess what you have high wage jobs, you have more like them and you start attracting more types of retail. Wegman’s did not come here because we have a quaint downtown. They came because there is a [inaudible] of measured income that we happen to be in the center of. We have to keep looking at that dynamic which gets back to do we just get a job growth – a job growth that happens to be low wage. I think we are trying to build a stable, diversified base and it is getting at those – you know, you are

going to have the outreach, you know, helping based on this information, but we have to be in line with those big picture goals too.

g. New Business Launchpad

Marantha Edwards stated the team that worked on this project includes Finance, Utilities, Planning and Zoning and the Town Manager's office.

Key Points:

- An online starting point for new businesses
- Part of the continuum of business process improvements
- Press release went out today on the Leesburg Launchpad
- Speed of business has increased
- Vetted through the Economic Development Commission and the Small Business Development Center and the County EDC
- Working on a home based business model
- Walks the prospective business owner through the process from site selection to ribbon cutting
- Addresses all parts of the town process including necessary permits, licenses and applications
- Utilizes existing tools available to the Town

Council Member Comments/Questions (*Verbatim discussion follows*):

Burk: Well, I just want to congratulate you. It isn't easy to get all that information in one place like that. I know it was a lot of work and I think it is a great asset. I know that it is going to make it much easier for people to get help from Economic Development and all the different departments and make it easier for everyone to start a business. Appreciate it. I think it is great. I was very excited when you showed it at the Economic Development Commission meeting.

Martinez: I deal with this stuff all the time, Sharepoint. Building an application off Sharepoint. I was glad to see you guys are using the power that is there. I know sometimes it feels like you reach in that drawer, you pull out a bunch shoelaces and try to untangle the knots and figure out where they go and sometimes that is a lot of what I am dealing with Sharepoint. I like it. It is a great job.

Wright: Good job. No additional comments.

Hammler: The different links with specific things that businesses have to do – how many require coming to Town Hall, versus being able to do them online? That is a rhetorical question, because obviously we have a lot of things to catch up on. We are working on fixing that. I guess I am bringing that up because time is of the essence if you are a new business owner. You click on it and you go –I have to go to town hall to get my business license? I have to go to town hall to get my zoning permit? I

have to go to town hall to pay my business property tax? That is what we have got to fix immediately to get this thing really working properly. Then, as far as just the world in which we live, you know having – I don't even know if this is possible considering resources, but if usually someone just wants someone to chat with – they don't want to submit a form. They want to be able to chat immediately.

Edwards: We did talk about that.

Hammler: You will get there. You have also mentioned things like – someone might just want to click on a quick video that could be that two minutes to say, you know, somebody that they can visualize it – here is what I did. Just personalize it. So, I think there is a few more things. Great start. I know we are headed in that direction.

Butler: Thank you. I think it is great. Thank you very much.

- h. Consideration of Elimination of Personal Property Proration
Norm Butts stated they are proposing the elimination of the personal property tax proration program that is currently in place.

Key points:

- Currently the taxpayer pays taxes on personal property in the proportion to the amount of time the property is situated in the Town of Leesburg
- Process is complex
- Causes taxpayer confusion
- Elimination will simply and enhance customer service
- Fiscal impact is dependent on general economy
- Town Code will need amended in four separate places

Council Comments/Questions (*Verbatim discussion follows*):

Hammler: Well, a couple of things come immediately to mind. I remember sitting through the finance forum that we went to Kaj, and this sounds exactly what we were trying to fight in terms of how BOS became structured. The sort of we are going to find one point in time and that is going to be end of it. Where I am using examples, Norm, of standing in lines and saving taxpayer time, is because our system is absolutely antiquated and we are working on fixing the online bill pay. We are working on fixing the fact that this should be instantaneous and easy and we aren't doing it. And so, yes, it is taking a ton of time of staff and it is taking a ton of time of people coming to park at town hall and stand in lines, but that is not the problem. So, to me that is the fundamental underlying issue that we have got to address. Once we address that, I am happy to consider this but to me it is going to create a sense of [inaudible] and I would be curious to know of the jurisdictions that don't have

reasonable online bill pay in terms of that customer – that public customer service for their citizens for these types of transactions.

Wright: So, Norm, the largest thing with the proration is you guys have to go back and basically figure out when people bought a car and recalculate their tax bills as opposed to getting the tax roll on – much like the real estate tax – you get the tax roll on Jan. 1 – that’s when we cut the bills for. I think that’s what you are proposing here. We get one set of tax rolls. You cut one set of bills. We don’t have to do a calculation if someone changes their car mid-year.

Butts: It is very simple. For the taxpayer, all they would have to do if they bought a new car during the tax year is contact us and we would send them a new decal to put on the new vehicle.

Wright: Then they would get the tax bill in the subsequent year. Going through the list of things you are looking at, so at first I was a little worried but then John gave me the back story of how all this started. I won’t make him tell it again but it was basically a revenue grab of by doing – at the time it was a revenue grab by the government. When I first looked at it, it was like is this something we are doing to try to get more revenue, but in actuality it is something to try to get less. It is simplify, cut one bill, be done with it. Of the changes you are looking at making, the only one that makes me nervous is changing the payment due date of moving it from October 5 to May 5. I think we are going to need – I just want to tread carefully there.

Butts: What happens there – if I might. In the transition, the way this would work, is that 2014 would be a tax year. 2014 would be a tax holiday. So, there would be no tax collected in 2014. The first time we would start collecting taxes in October in 2014, we would collect them in May of 2015. It would be in the same fiscal year, so there would be no impact on the budget, but –

Wright: Ah!

Butts: We had thought of that. Obviously.

Wright: So, I wouldn’t get an October bill followed immediately by a May bill. I would just get...

Butts: You would get a May bill. And the impact of that would be to declare a tax holiday, essentially for 2014. There would be no tax paid by a taxpayer in 2014. I think one of the things that we found with the larger jurisdictions, their tax rate is so much higher than ours – our tax rate is a \$1.00 per \$100. If you look at Loudoun County, for example,

it is \$4.25 per \$100. Some of the counties are \$5 per \$100 and even one of the counties was \$6.50 per \$100. So, they have a much higher tax rate so there is more money. They are bigger so they have economies of scale with staffing and the county does this where they have biennial payment and we only pay once a year. So, this would move the payment from October 2, which is the County's second payment in the tax year to May 5, which is the County's first tax payment, so it would still sync up with the County.

Martinez: What is broken?

Hammler: Apparently, the issue of even talk about economies of scale of staff. What is broken is...

Martinez: What is broken? I don't want to hear all the other stuff. What is broken?

Hammler: You cannot pay your personal property tax via an online system. You can't just essentially have a simple transaction...

Martinez: So, what does that have to do with what Norm is talking about? You see, I understand what Norm is saying and I understand what you are saying. But, right now, we are not talking about online bill paying and the problem we have with it. Let's focus on this issue. The online bill paying and all the other financial issues you have....

Hammler: This fiscal impact does not include the value of the time that would have been saved by taxpayers.

Martinez: You can throw so much stuff out there.

Hammler: That's underlined in bold.

Martinez: So, anyway. What is broken? I still don't understand why you make such a big deal out of that when I am looking at it – this town because of our budget cutting and because of a lot of things we did – a lot of stuff you are complaining about has not been able to be implemented because they haven't got the funds to do it. Now, if you want these things to happen, pony up.

Hammler: Marty, if you want to talk about the online bill pay, I sat through the presentations and it does not require any upfront funding, period.

Butler: We can talk about that at another time.

Hammler: We aren't talking about that. I am just saying it needs to be fixed.

- Martinez:* You slammed Norm on something that is totally irrelevant to the discussion today.
- Hammler:* No, it's not. It is completely relevant to this discussion.
- Butler:* Do you like Norm's idea or don't you?
- Martinez:* I have issues about the fiscal stuff. I like the idea that I can buy a car on January 2, sell it on December 31 and get another car and not have to pay tax.
- Butts:* You could [inaudible] the system.
- Martinez:* The point is, people when they buy a car, they are buying other things. They are not looking to – that is the least of their worries.
- Butts:* You are going to pay a state sales tax if you do that. You will not save any money overall.
- Burk:* I am good.
- Butler:* I'm good. The only question I have is when you say it is basically revenue neutral, that kind of implies that you are reducing staff by 0.75 FTE, right?
- Butts:* Well, what we are going to do is we are going to take those efficiencies – the definition of efficiency is you can do more with the same amount of money or you can do the same with less money. What we would do is redirect those resources to things we have not been able to get to over the years, like field audits and other taxes and collection activities. It is not like we would reduce three-quarters of a staff person. We would redirect those resources. At least that would be my first recommendation. Obviously, it is up to the Town Manager how he funds...
- Wells:* And I would tell you, clearly the collection effort and accuracies in billing would be the highest priority to have so the fiscal impact, I would hope that we would see greater collection of delinquent taxes based on the redirection of those resources. If you were to cut positions, you would save those dollars. My thought is given the goal of personal property in general and meals tax, whether you are doing field audits, or stepping up collection efforts working with the Town Attorney's office, I would be – I think it would be fair to say we would generate more than the cost of the individual, if not two times over.
- Butler:* Well, if you didn't then...

- Wells:* Then we would...that's right – we would come back with that recommendation. Right now, especially in a couple of the different categories I think we have enough practical experience to know that putting those efforts towards collections – and we would see those results in the following year's audits.
- Butler:* In theory, I could save real estate tax by buying my house and moving into it a week after the assessment, right?
- Wells:* Assessments are based on January 1. That's right.
- Butler:* So, if I move into my new house – or I build a new house on January 2 and move in – okay, then I have saved real estate taxes for the year.
- Butts:* I think they go through and do it a supplemental.
- Wells:* It's called a supplemental. There is a supplemental tax bill that goes out. If you move in from another state, you are going to get a tax bill for part of the year.
- Wright:* They will get you at closing because you will pay your proportionate share.
- Butler:* Yes, but if it move in...the point is, if it is a greenfield, okay, I am assessed at – the lot is worth \$100,000...
- Wright:* Yeah, they won't get you until next year.
- Butler:* How many people do that just to save taxes for the year, right?
- Wright:* Marty does.
- Butler:* Marty does. Marty builds a house and then he moves. The point is I think the dollars here are low enough that people are not going to be making those types of decisions based on saving a few bucks of taxes or not.

2. Additions to Future Council Meetings

Council Member Burk asked that Council vote on the ability of the American Red Cross to put flags up in town through the month of March. On the advice of the Town Attorney, it was decided to not follow through with this as it would open the door for any organization to be allowed to put flags up in town regardless of the content of the flags.

Council Member Wright asked for an inventory of stray parcels and street stubs, etc.

3. Adjournment

On a motion by Council Member Martinez, seconded by Council Member Wright, the meeting was adjourned at 10:27 p.m.

Clerk of Council

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