

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

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

Council Members Absent: Thomas Dunn and David Butler. Council Member Martinez arrived at 7:34 p.m.

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

AGENDA	ITEMS
--------	-------

1. **CALL TO ORDER**

2. **INVOCATION:** Council Member Wright

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

4. **ROLL CALL:** Showing Council Member Martinez arriving at 7:34 p.m.

5. **MINUTES**

a. None.

6. **ADOPTING THE MEETING AGENDA**

On the motion of Council Member Wright, seconded by Council Member Burk, the meeting agenda was approved after moving Item 10a to Consent by the following vote:

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

Nay: None

Vote: 4-0-3 (Butler/Dunn/Martinez absent)

7. **PRESENTATIONS**

a. Proclamation – Small Business Week

On a motion by Council Member Hammler, seconded by Council Member Burk, the following was proclaimed:

PROCLAMATION

SMALL BUSINESS WEEKS

June 3 – June 7, 2013 & June 17 – 21, 2013

WHEREAS, Loudoun County Board of Supervisors will be celebrating Loudoun Small Business Week June 3-7, 2013; and

WHEREAS, The U.S. Small Business Administration has declared National Small Business Week to be June 17-21, 2013; and

WHEREAS, more than half of Americans either own or work for a small business and they create approximately two out of every three new jobs in the US each year; and

WHEREAS, Virginia and its localities recognize that jobs and investment follow private businesses that seize opportunities to expand markets, develop new products, and invest in equipment that improves productivity; and

WHEREAS, the Town of Leesburg has joined the Commonwealth in developing a business climate of opportunity to encourage entrepreneurial creativity, investment, 21st century jobs and innovation; and

WHEREAS, small businesses in Leesburg are the foundation of our community commerce; and

WHEREAS, within the last year, several state legislators have visited Leesburg to tour shops and speak with local entrepreneurs about the important business environment in our community.

THEREFORE, the Mayor and Town Council of the Town of Leesburg in Virginia hereby proclaim the weeks of June 3 – June 7, and June 17 – 21, the Year 2013 as Small Business Weeks in the Town of Leesburg and urge the citizens of Leesburg to support our local businesses and do their part to support a sustainable economic environment for the Town of Leesburg.

PROCLAIMED this 28th day of May, 2013.

b. Certificate of Recognition – NOVEC

On a motion by Council Member Hammler, seconded by Council Member Burk, a Certificate of Recognition was presented to Northern Virginia Electric Cooperative in recognition of their 30th Anniversary.

c. Certificate of Recognition - Deli South

On a motion by Council Member Hammler, seconded by Council Member Burk, a Certificate of Recognition was presented to Deli South in recognition of their 20th Anniversary

8. PETITIONERS

The Petitioner's Section was opened at 7:44 p.m.

There were no petitioners wishing to address Council.

The Petitioner's Section was closed at 7:45 p.m.

9. APPROVAL OF THE CONSENT AGENDA

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

- a. *Awarding the Construction Contract to B & B Signal Company in the amount of \$251,690 for the Traffic Signal at Battlefield Parkway and Plaza Street*

RESOLUTION 2013-062

Awarding the Construction Contract for the Traffic Signal at Battlefield Parkway and Plaza Street Project to B & B Signal Company in the Amount of \$251,690

- b. *Refuse and Recycling Contract Award*

RESOLUTION 2013-063

Awarding the Annual Contract for Refuse and Recycling Collection Services to Con-Serv Industries, Inc. in the Amount of \$2,424,110.66

- c. *Transportation Priorities*

RESOLUTION 2013-064

Amending Resolution #2012-113 Requesting Virginia Department of Transportation (VDOT) Funding for Highway Projects within the Town of Leesburg in the Virginia Department of Transportation Six-Year Improvement Plan for Fiscal Years 2014-2019

The Consent Agenda was approved by the following vote:

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

Nay: None

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

10. RESOLUTIONS AND MOTIONS

- a. *Tuscarora Crossing Letter*

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

MOTION 2013-026

I move approval of the draft letter regarding Tuscarora Crossing

Council Comments/Questions:

- Need to correct misinformation that PDG-IP zoning had been changed so that power plant is not a by-right use
- Letter sent by Council Member Burk did not address transportation issues

Council Member Wright offered a friendly amendment to switch the order of the letter to put the transportation section first. The amendment was accepted as friendly.

The motion was approved by the following vote:

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

Nay: None

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

11. PUBLIC HEARINGS

a. None.

12. ORDINANCES

a. None.

13. UNFINISHED BUSINESS

a. None.

14. NEW BUSINESS

a. None.

15. COUNCIL COMMENTS

Council Member Wright reminded everyone about Relay for Life. He noted the Survivor's Luncheon follows the opening lap this year.

Council Member Hammler disclosed a telephone call with Ben Leigh and an email from Jan Zacharias regarding a text amendment. She stated she attended the Leesburg Brewing Company ribbon cutting. She stated she participated in the Creative Rate Structure and Affordability Program Options for Virginia Utilities webinar. She noted that all the funding for the Battlefield at Catoctin Circle light is coming from Loudoun County and should be installed before school starts in the fall. She questioned whether Council would be interested in a charette for the Loudoun Street property.

Council Member Martinez stated that the Relay for Life team has exceeded their target fundraising.

Council Member Burk stated she met with Brian Patlen regarding the Bald Guy Brewing Company regarding a possible text amendment. She stated today is the first day of the American Farmland Trusts' "I Love My Farmer's Market" celebration. She urged everyone to visit the local farmer's market. She congratulated the Economic Development department on the successful Business Awards Ceremony and Hampton Inns and Suites on their renovation.

16. MAYOR'S COMMENTS

The Mayor asked that Scott and Carrie Gustavson's request to revisit the North King Street section of the King Street Improvements regarding the bump out in front of Lightfoot restaurant. She stated she enjoyed the Veteran's Day commemoration, which was very well attended.

17. MANAGER'S COMMENTS

Mr. Wells stated Monday, June 3, the Mason Enterprise Center will be holding its open house and Council is invited to attend. He reminded Council of the employee picnic and awards ceremony to be held on Wednesday.

18. CLOSED SESSION

None.

19. ADJOURNMENT

On a motion by Council Member Wright, seconded by Council Member Burk, the meeting was adjourned at 8:08 p.m.

Kristen C. Umstatt, Mayor
Town of Leesburg

ATTEST:

Clerk of Council
2013_tcm0528

DRAFT

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

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

Council Members Absent: Council Member Dunn

Staff Present: Town Manager John Wells, Town Attorney Jeanette Irby, Deputy Town Manager Kaj Dentler, Research and Communications Manager Betsy Fields, Chief of Police Joseph Price, Environmental Planner Irish Grandfield, Lieutenant Carl Maupin, Deputy Director of Planning and Zoning Brian Boucher, and Clerk of Council Lee Ann Green

AGENDA

ITEMS

1. **Work Session Items for Discussion**

a. Annexation – Additional Discussion

Betsy Fields stated that this is a follow-up to discussion held at the May 13 work session. She stated fiscal impact analysis has been done for homes in each of the proposed annexation areas.

Key Points:

- Assumption made that HOA fees would be reduced because less services would need to be provided by HOA
- Lower HOA fee and lower water rates do not offset town taxes in this analysis.

Council Comments/Questions

- Would this require additional Council members?
- How often can annexations be attempted?
- Cost of Lower Sycolin Conveyance System versus three Boundary Line Adjustments
- Need rough cost of annexation process
- Would increased area require a special election?
- Need to see a cash flow analysis
- River Creek residents will oppose annexation because it will cost them more
- No interest in forcing any areas into annexation
- How much is study costing?

b. Police Annual Crime Report and Staffing

Chief Price gave a presentation on the results of the 2012 Crime Report.

Key Points:

- Virginia uses an incident based reporting system
- Saw a 13% increase over last year
- No stranger rapes in Leesburg since the East Coast rapist
- A 47% increase in larceny (shoplifting)
- The town uses evidence based policing which uses data and proven techniques to identify, analyze and respond to patterns of threat
- Half of all crime occurs in 5% of the geographic locations
- Leesburg Corner Premium Outlets is a regional and beyond attraction
- Habitual offenders operate on a local level and commit a variety of retail crimes
- Transient teams operate up and down the east coast – can take as much as \$50,000 in merchandise in a single day
- 75-90% of theft from vehicles is from unlocked vehicles

It was noted that the department is never fully staffed because of vacancies. A motion will be brought forth to add two additional officers at tomorrow night's Council meeting.

c. Low Impact Development

Irish Grandfield stated that low impact development is the set of measures that can be implemented during the development process to design a site to reduce the amount of stormwater run off generated by the development.

Summary of Key Points:

- Helps save streams
- Design smaller stormwater management ponds
- Recommendation for initiation of low impact design

d. Panhandling Ordinance

Jeanette Irby asked for direction from Council. She noted that specific groups cannot be protected.

Staff was directed to bring a motion for initiation of a Town Code amendment to tomorrow night's Council meeting.

2. Additions to Future Council Meetings

Council Member Wright asked that the wayfinding signs are updated for the Sycolin Road closure.

Council Member Hammler: Jan Zacharias questioned whether they could get a text amendment rather than going to the Board of Zoning Appeals.

Vice Mayor Butler remarked the closing of Sycolin Road has gone very smoothly. Mr. Wells stated VDOT is monitoring the lights and will make adjustments as needed.

Mayor Umstattd questioned whether Council wants to take a position on the North/South corridor. She requested that topic be put on the next Council meeting for a vote as well as the Gustavson's request to look at the Downtown Improvements plan for the parking area in front of Lightfoot. She stated they will attend the June 25 meeting.

3. Closed Session

None.

4. Adjournment

On a motion by Council Member Wright, seconded by Council Member Martinez, the meeting was adjourned at 9:35 p.m.

Clerk of Council

2013_tcwsmin0610

DRAFT

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

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

Council Members Absent: Council Member Dunn arrived at 7:38 p.m.

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

AGENDA

ITEMS

1. CALL TO ORDER

2. INVOCATION: Mayor Umstattd

3. SALUTE TO THE FLAG: Vice Mayor Butler

4. ROLL CALL: Showing Council Member Dunn arriving at 7:38 p.m.

5. MINUTES

a. Work Session Minutes of May 13, 2013

On a motion by Council Member Martinez, seconded by Vice Mayor Butler, the minutes of the Work Session Meeting of May 13, 2013 were approved by a vote of 6-0-1 (Dunn absent).

b. Reguar Session Minutes of May 14, 2013

On a motion by Council Member Martinez, seconded by Vice Mayor Butler, the minutes of the Regular Session Meeting of May 14, 2013 were approved by a vote of 6-0-1 (Dunn absent).

6. ADOPTING THE MEETING AGENDA

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

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

Nay: None

Vote: 6-0-1 (Dunn absent)

7. PRESENTATIONS

a. Certificates of Appreciation – Student Volunteers at Flower and Garden

On a motion by Vice Mayor Butler, seconded by Council Member Martinez, Certificates of Appreciation were approved for the following student volunteers who assisted the Tree Commission at the 2013 Flower and Garden Festival:

*Daniel Butler
Ashley Acardo*

*Alexander Groothius
Ricky Melendez*

*Alexis Jacuzzi**Rachel Jacuzzi*

b. Proclamation – Celebrating the 50th Anniversary of the Old and Historic District

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

PROCLAMATION

50th Anniversary of the Leesburg Old and Historic District 1963-2013

WHEREAS, since its founding over 250 years ago, the Town of Leesburg has undergone numerous phases of growth while retaining the historic downtown core; and

WHEREAS, on June 10, 1963 the Leesburg Town Council showed great stewardship and foresight in amending the Town Zoning Ordinance to create the Leesburg Old and Historic District; and

WHEREAS, in the enacting ordinance the Leesburg Town Council expressed the need to “preserve the unique cultural heritage represented by the original section of the town”; and

WHEREAS, through the work of the Town Council, Board of Architectural Review, Town staff, businesses and citizens, the Leesburg Old and Historic District will continue to be enjoyed by future generations; and

WHEREAS, planning is underway for events throughout the rest of the year to celebrate the establishment of the Leesburg Old and Historic District and to educate businesses and citizens on the benefits of historic preservation.

THEREFORE, the Mayor and Town Council of the Town of Leesburg in Virginia hereby proclaim the year beginning June 10, 2013 as a celebration of the Leesburg Old and Historic District 50th Anniversary and urge the citizens of Leesburg to take advantage of the cultural resources offered by our historic downtown area.

PROCLAIMED this 11th day of June, 2013.

8. PETITIONERS

The Petitioner’s Section was opened at 7:41 p.m.

Tamra Varda, 508 Sherry Ann Court, stated she is a resident of Kincaid Forest. She stated there is a zoning issue behind her home. She stated they have great concern

over the possibility of commercially zoned buildings behind her home. She stated the residents are leaning towards desiring homes on the property. She asked Council to help protect Leesburg and the Kincaid community.

The Petitioner's Section was closed at 7:45 p.m.

9. APPROVAL OF THE CONSENT AGENDA

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

- a. *Airport Construction Management Continuing Services Contract Award*

RESOLUTION 2013-065

Awarding a Contract to R.L. Kimball, Inc. for Construction Management Services for Capital Projects at the Leesburg Executive Airport

- b. *Authorizing a Water Rate Consultant Request for Proposals*

RESOLUTION 2013-066

Authorizing a Request for Proposals (RFP) to Conduct a Water and Sewer Rate Study

- c. *Public Improvements and Performance Guarantees for Oaklawn Townhouses, Section 3*

RESOLUTION 2013-067

Accepting the Public Improvements, Releasing the Performance Guarantee and Approving a Maintenance Guarantee for Oaklawn Townhouses- Section 3 (TLCD 2010-0001)

- d. *Public Improvements and Performance Guarantees for PMW Farms Sanitary Sewer Extension*

RESOLUTION 2013-068

Accepting the Public Improvements, Releasing the Performance Guarantee and Approving a Maintenance Guarantee for PMW Farms Sanitary Sewer Extension (TLPF 2006-0011)

- e. *Making an Appointment to the Tree Commission*

RESOLUTION 2013-069

Making an Appointment to the Tree Commission

- f. *Making an Appointment to the Commission on Public Art*

RESOLUTION 2013-070

Making an Appointment to the Commission on Public Art

- g. Accepting Public Improvements, Releasing Performance Guarantee, and Approving a Maintenance Guarantee for Dulles Chrysler Dodge Jeep Ram

RESOLUTION 2013-071

Accepting the Public Improvements, Releasing the Performance Guarantee and Approving a Maintenance Guarantee for Dulles Chrysler Dodge Jeep Ram (TLPF 2010-0011)

- h. Low Impact Development

RESOLUTION 2013-072

Accepting the Low Impact Development (LID) Recommendations of the Leesburg Watershed Committee and Adopting a Strategy for Promoting LID in Leesburg

- i. Initiating an Amendment to the Town Code concerning Panhandling

MOTION 2013-027

I move to initiate an amendment to the Town Code concerning Panhandling

The Consent Agenda was approved by the following vote:

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

Nay: None

Vote: 7-0

10. PUBLIC HEARINGS

- a. TLSE 2013-0008 Simran Home Day Care
The public hearing was opened at 8:04 p.m.

Irish Grandfield presented the application for a special exception to allow a home child care center.

Key Points:

- Home based child care center for more than five children
- 712 Vista Ridge Drive, Potomac Station
- Use is allowed by special exception in Planned Development districts
- Use is licensed by the state
- Staff recommends approval with standard conditions
- Applicant has agreed to install a safety gate for the rear stairwell

The applicant had no comments.

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

The public hearing was closed at 8:12 p.m.

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

RESOLUTION 2013-073

Approving TLSE 2013-0008, Simran Home Day Care, a Child Care Center located on Property Identified as PIN Number 148-28-8719 and Located at 712 Vista Ridge Drive

Council Comments/Questions:

- Does the town require any type of certification of staff?
Staff answer: The state requires current immunizations as well as training.
- What are town guidelines as far as number of children per staff member?
Staff answer: The state regulates how many children can be watched by one staff person, which varies dependent on age of the children being watched. Rules for number of employees for home based child care centers are a little different than for other home occupations.

The motion was approved by the following vote:

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

Nay: None.

Vote: 7-0

11. RESOLUTIONS AND MOTIONS

a. Authorizing a Loudoun Street Mural Request for Proposals

On a motion by Vice Mayor Butler, seconded by Mayor Umstattd, the following was proposed:

MOTION 2013-026

I move that the Leesburg Town Council authorize the Chief Procurement Officer to issue a Request for Proposals, as approved by the Town Attorney, for the solicitation of bids to artists or a team of artists for the installation and maintenance of the Downtown Parking Garage mural

Vice Mayor Butler made an amendment to the RFP language.

Council Comments/Questions:

- Changes to the RFP are not significant
- Change to RFP language will help keep the mural cost within what can be raised by the Friends of Leesburg public art.

The motion was approved by the following vote:

Aye: Burk, Butler, Martinez and Mayor Umstattd

Nay: Dunn, Hammler and Wright

Vote: 4-3

b. Approval of Additional Police Staffing

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

MOTION

I move that the Town Council authorize the addition of two full time equivalent police officer positions for the Police Department. These positions are permanent positions effective July 1, 2013

Council Comments/Questions:

- Number of approved positions is never completely filled due to leave, vacancies, etc.
- Concern with adding two full time employees with benefits
- Maximize tax dollars paid to the county, i.e. Sheriff's Department services

Council Member Hammler moved to defer this item to the next work session meeting. The motion to defer was seconded by Council Member Burk and approved by the following vote:

Aye: Burk, Butler, Hammler, and Martinez

Nay: Dunn, Wright and Mayor Umstattd

Vote: 4-3

12. ORDINANCES

- a. None.

13. UNFINISHED BUSINESS

- a. None.

14. NEW BUSINESS

- a. None.

15. COUNCIL COMMENTS

Council Member Dunn had no comments.

Vice Mayor Butler noted his son, Daniel, played his last Little League game, and got two home runs.

Council Member Martinez stated the car show was fun.

Council Member Hammler stated she and Council Member Burk attended the May 29 Downtown CIP outreach meeting. She stated there were some follow-up questions regarding the trees on Loudoun Street. She stated the Technology and Communication Commission is working on some interesting projects including ways to leverage the Visit Loudoun website and their wi-fi program. She congratulated all those graduating from Leesburg high schools this week.

Council Member Wright stated that they are still accepting donations for Relay for Life and thanked Council Member Martinez for reading the town's proclamation at the opening ceremonies. He stated he participated in the ribbon cutting for the new Catoctin Veterinary facility on Dry Mill Road

16. MAYOR'S COMMENTS

Mayor Umstattd noted how impressed she was with the parent volunteers at Loudoun County High School's All Night Grad party at Ida Lee. She thanked all the sponsors and volunteers. She wished all the graduates luck in their future ventures. She disclosed a meeting with a nonprofit called Embrace Loudoun who are working towards helping the needy find help in Loudoun. She noted that there was a great turn out for First Friday, despite the rain.

17. MANAGER'S COMMENTS

Mr. Wells had no comments.

18. CLOSED SESSION

None.

19. ADJOURNMENT

On a motion by Vice Mayor Butler, seconded by Council Member Wright, the meeting was adjourned at 8:25 p.m.

Kristen C. Umstattd, Mayor
Town of Leesburg

ATTEST:

Clerk of Council
2013_tcm0611