

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

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

Council Members Absent: David Butler. Council Member Martinez arrived at 7:32 p.m.

Staff Present: Town Manager Kaj Dentler, Deputy Town Manager Keith Markel, Town Attorney Barbara Notar, Assistant Town Manager Scott Parker, Director of Economic Development Marantha Edwards, Deputy Director of Planning and Zoning Brian Boucher, Preservation Planner Tom Scofield, and Clerk of Council Lee Ann Green

AGENDA

ITEMS

1. **CALL TO ORDER**

2. **INVOCATION:** Council Member Hammler

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

4. **ROLL CALL:** Showing Council Member Butler absent.

5. **MINUTES**

a. Regular Session Minutes of April 14, 2015

On a motion by Vice Mayor Burk, seconded by Council Member Hammler, the Regular session minutes of April 14, 2015 were approved by a vote of 6-0-1 (Butler absent).

b. Work Session Minutes of April 27, 2015

On a motion by Council Member Martinez, seconded by Council Member Fox, the work session minutes of April 27, 2015 were approved by a vote of 6-0-1 (Butler absent).

c. Regular Session Minutes of April 28, 2015

On a motion by Council Member Martinez, seconded by Council Member Hammler, the Regular session minutes of April 28, 2015 were approved by a vote of 6-0-1 (Butler absent).

6. **ADOPTING THE MEETING AGENDA**

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

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

Nay: None

Vote: 6-0-1 (Butler absent)

7. **PRESENTATIONS**

a. Certificates of Appreciation – Tree Commission Volunteers at Flower and Garden Festival

On a motion by Vice Mayor Burk, seconded by Council Member Dunn, Certificates of Appreciation were approved for the following Tree Commission volunteers at the Flower and Garden Festival:

May Stevens	Jesslyn Manni
Katie Dunlap	Rachel Frey
McKenna Kirby	Matt Tobias
Ben Parsons	Cody Moore
Connor Shields	Jason Rosenthal
Shereen Awad	Alec Schmitz
Teresa Norwalk	Lian Joseph
Maddie Bowers	Ashlyn Gill
Tyler Wolff	Hailee Shockley
Hamaad Khan	Hayley Wright
Alex Schoonmaker	Sarah Gragan
Chad Sigmon	Lyna Lam
Tina Pham	Aditi Narvekar

b. Certificates of Recognition – Girl Scout Troop 1965 – Bronze Award

On a motion by Vice Mayor Burk, seconded by Council Member Dunn, the following members of Girl Scout Troop 1965, were recognized for winning the Girl Scout Bronze Award for their work organizing a fundraiser to raise awareness of childhood cancers:

Jane Cassidy	Corinne Eisner
Sara Fedor	Lily Fries
Gracie Hawkins	Katie Heaver
Rachel Kelly	Nina Segura
Leina Westberg	

c. Proclamation – Tourism Week

On a motion by Vice Mayor Burk, seconded by Council Member Dunn, the following was proclaimed:

PROCLAMATION

National Travel & Tourism Week

May 4-12th 2015

WHEREAS travel is among the largest private-sector employers in the United States, supporting 15 million jobs in 2014 including 8 million directly in the travel industry and 7 million in other industries; and

WHEREAS international travel to the United States is the nation’s largest single export industry – greater than the export of business services, machinery,

computer and electronic products, motor vehicles and agriculture. In 2014, travel generated more than \$180 billion in exports creating more than \$43 billion in balance of travel trade surplus for the U.S.; and

WHEREAS travelers' spending directly generated tax revenues of \$141.5 billion for federal, state and local governments providing funds to support essential services and programs; and

WHEREAS, the tourism industry contributes substantially to the Leesburg community's cultural and social well being by way of the attractions, special events, arts, shopping and dining opportunities; and

WHEREAS, travel is a pillar of economic growth with direct participation and support from Visit Loudoun to spur health and wellness benefits, creativity, cultural awareness, education, happiness and productivity; and

WHEREAS, each Leesburg household receives more than \$141.22 annually in combined Town and County tax relief as a result of visitor spending; and

WHEREAS, 43 group bookings were made in 2014 which alone generated more than \$2.5 million in direct visitor spending to the Town of Leesburg; and

WHEREAS, travel is a catalyst that moves the national economy forward.

THEREFORE, PROCLAIMED by the Mayor and Council of the Town of Leesburg in Virginia that the week of May 4-12, 2015 is National Travel and Tourism Week in the Town of Leesburg.

PROCLAIMED this 12th day of May, 2015.

d. Proclamation – Small Business Week

On a motion by Vice Mayor Burk, seconded by Council Member Dunn, the following was proclaimed:

PROCLAMATION

SMALL BUSINESS WEEK

May 11th – May 17th, 2015

WHEREAS, the state of Virginia and the County of Loudoun recognize May 2015 as Small Business Month and specifically the week of May 11 – 17, 2015; and

WHEREAS, the growth of the Leesburg business community has been steady and successful in attracting and retaining a diversity of quality businesses that have proven their benefit to the Town’s economy; and

WHEREAS, the Leesburg business climate is healthy in workforce, infrastructure and entrepreneurs; and

WHEREAS, Leesburg is a AAA community and home to more than 2,500 small businesses; and

WHEREAS, Leesburg’s small businesses provide a tremendous resource to a variety of social and charitable causes that make a significant difference to the lives of Leesburg residents; and

WHEREAS, a vibrant, healthy economic environment is the cornerstone to a successful, thriving community where good jobs are easily accessible.

THEREFORE, the Mayor and Town Council of the Town of Leesburg in Virginia hereby proclaim the week of May 11th through May 17th as Small Business Week in the Town of Leesburg and urge the citizens of Leesburg to support our local business owners and do their part to support a vibrant, sustainable economic environment for the Town of Leesburg.

PROCLAIMED this 12th day of May, 2015.

- e. Proclamation – Mental Health Month
On a motion by Vice Mayor Burk, seconded by Council Member Dunn, the following was proclaimed:

PROCLAMATION

Mental Health Month 2015

Friends of Loudoun Mental Health

WHEREAS, mental health is essential to everyone’s overall health and well-being; and

WHEREAS, all Americans experience times of difficulty and stress in their lives; and

WHEREAS, prevention is an effective way to reduce the burden of mental health conditions; and

WHEREAS, there is a strong body of research that supports specific tools that all Americans can use to better handle challenges, and protect their health and well-being; and

WHEREAS, mental health conditions are real and prevalent in our nation; and

WHEREAS, with early and effective treatment, those individuals with mental health conditions can recover and lead full, productive lives; and

WHEREAS, each business, school, government agency, healthcare provider, organization and citizen shares the burden of mental health problems and has a responsibility to promote mental wellness and support prevention efforts.

THEREFORE, PROCLAIMED by the Mayor and Council of the Town of Leesburg in Virginia that May 2015 is Mental Health Month in the Town of Leesburg. Further, we call upon the citizens, government agencies, public and private institutions, businesses and schools in Leesburg, Virginia to recommit our community to increasing awareness and understanding of mental health, the steps our citizens can take to protect their mental health, and the need for appropriate and accessible services for all people with mental health conditions.

PROCLAIMED this 12th day of May, 2015.

8. **PETITIONERS**

The Petitioner's Section was opened at 7:56 p.m.

Donna Fortier, Mobile Hope, "I was here probably a year, maybe a year and a half ago to give you all an update on Mobile Hope and what we have been doing. So, I wanted to come before you this evening to provide you with another update and to give you an idea as to our future goals and why we are here. Mobile Hope was established about four years ago to help those kids in our community that are homeless, precariously housed or struggling. We offer them everything my kids take for granted from clothes to hygiene items, school supplies, prom fees, that type of thing. Over the last four years, we average about 500 kids per month. We have a private shop in that happens on the fourth Thursday of every month and we see anywhere from 100-200 children that come through. On Wednesdays, we go out on our Mobile Hope bus to different locations throughout Loudoun County. We go to Leesburg, Purcellville, St. Louis, and we have just added Dulles South and we are looking at adding Lucketts. Then, we average about 50-80 kids that come on board the bus every Wednesday. Then, on Sundays we provide kids the opportunity to come get perishable items. We have a food distribution that occurs at our Leesburg site and we serve really anybody in the community that is food insecure and we serve about 100 families or so. Mobile Hope is specific to kids 21 years of age and younger. We are looking at increasing that to probably 24 years of age and younger because we are getting a lot of individuals coming to us requiring help, but the reason why we are here – we have noticed over the last four years that there is – there seems to be somewhat of a void in services as far

as those kids who are 18-21 years old. We have a youth shelter. The kids age out of the youth shelter, literally on their 18th birthday. If they are lucky, they can go into the adult side of things, but if they are not, often times they are left with no place to go. What we would like to do is to build a life-skills facility at our current location. We are located by Frederick Douglass Elementary School and down from Douglass Alternative in a quiet little nestled area and we would like to build a life skills center that would be specific to these kids, 18-21, where we would teach them not only life skills but how to balance a check book, how to interview for a job, the possibility of going to college or trade school, dealing with mentors, you know, that type of thing. A lot of the kids that we have been helping over the last several years have been living in survival mode for so long that they are simply just struggling to get through every day. What we would like to do is offer them an opportunity to exceed and to become good stewards of our community. A lot of the studies show that if we are able to offer something that is of no real time limit but about two years seems to break the cycle of homelessness or struggling and that is what we would like to do. So, I brought a few friends with me this evening who I would like also to speak with you, but what we'd like – we have been meeting with members of the Board of Supervisors as well as town staff to discuss issues surrounding zoning and the appropriate zoning needed for our location. We truly like our location because there are no neighbors who could get angry. It is right on the W&OD bike path. It is right next to public transportation and it is right in the center of town. So, my understanding in meeting with the town staff is that we would seek your assistance for a resolution to amend the zoning ordinance. We have provided some information as to other services and like facilities across the county, so I will yield the rest of my time to Kim so she can provide you with additional information. If you have any questions, if you'd like to come out and see Mobile Hope and see all that we do, if you want to volunteer, that would be great.”

Andrew Borgquist, “I am here to speak about an issue I have spoken about several times, so Madam Mayor and Council Members, I am here to speak regarding the matter that I brought before the Council on numerous occasions. As you know, my particular situation involves an encounter with Leesburg Police in which the Town of Leesburg contends that it is appropriate and necessary to take adverse action against an employee who has expressed concern regarding police action. So, it is with interest that I have read about the recent events in Baltimore after the death of Freddie Gray that resulted from his arrest. The police action that I was concerned about in Leesburg was of a far less serious nature. So, my reason for being here actually has very little to do with actual actions of the Leesburg Police but rather the reaction of management from my choice of saying anything at all regarding the concern that I felt. Ironically, it was the town of Leesburg that first approached me after I had made some comments regarding my concern. Mr. Williams, the Director of Parks and Recreation was informed by Mr. Price, the Chief of Police, that I had expressed disagreement with Leesburg Police. You see, I was employed by the Town of Leesburg at the time within the Parks and Recreation Department. It is unclear exactly what bearing the fact that I had expressed disagreement with the Town of Leesburg police officer had on my employment with the town, but Mr. Williams asked to meet with me and in this meeting alerted me to the fact that I was being suspended indefinitely, that I was not going to be told why and that I would not be told how it was that he even knew that I had expressed disagreement with the Leesburg Police officer. The fact that I know that it was from Mr. Price, the Chief of Police, was actually information that I obtained through a

FOIA request later down the road. Anyway, I expressed to Mr. Williams that this did not seem right, but per Mr. Williams, I was a part time flexible employee and per Virginia employment law, I could be fired for any reason, including no reason at all. That's verbatim, how he stated it. I would like to point out that Mr. Williams' statement and manner was hostile and not in accordance with the stated employment policies as detailed in the employee handbook, which I understand is not a contract. Be that as it may, that is the ideal that we seek to have. I think it is important to point out that if you are treating someone fairly and reasonably, I fail to see why it would be necessary to point this out. I understand the statement by Mr. Williams indicates that he was willfully and purposefully acting in an unreasonable, unfair, and unjustified manner and that he knew it. Despite every indication that I should have ended the conversation, I chose to explain to Mr. Williams what had occurred, why I was concerned, and why I believe that my choice to voice my concern to a Leesburg Police Officer was justified and necessary. Mr. Williams reported nothing of this in his report, which is something I also obtained later through a FOIA request. Literally, nothing. He recorded everything that put me in a negative light, but the central and overriding issue over which I have had a contention with Leesburg Police and which indicates that maybe they were not acting as they should, has been completely and fully omitted. Let me say once more, Mr. Williams did not record the issue over which I had expressed my concern. The closest thing he came to describing my issue was that AB did not seem to agree with this and continued to express that he had been wronged. In very simplistic so that you don't even know what the issue was. I would also like to state for the record that Mr. Williams downplayed my concern regarding police action to me by saying that maybe the officer was having a bad day. By this statement, he indicates that he understood that the officer's action from my account was not right; however, he brushed it aside as not relevant and as I have from the report, completely omitted my concern from the report. Because I felt that Mr. Williams had acted in a manner that was underhanded and unfair and not in accordance with the Town of Leesburg policies, I contacted Mr. Dentler, who was then deputy manager to express my concern. Mr. Dentler stated that he did not know the details and I quote, "Quite frankly did not want to know". A while later, I decided to come and speak at one of these meetings, since Mr. Dentler who was deputy town manager at the time was uninterested in learning the details. Because I came and spoke, Mr. Wells, who was the town manager at the time agreed to meet with me when asked; however, and I am just being honest, the meeting was awful. Mr. Wells was hostile and unreasonable to the point of obstinacy. Furthermore, as was observed by Mr. Wells, I should have come to him and say "I made a big mistake" and that while admittedly the police may have went a bit too far, I should not have spoken up. Let me repeat that in case you missed it. Mr. Wells told me that if I wanted my job back, I should have come to him and said "I made a big mistake" and that while the police may have went a bit too far, I should not have spoken up. I don't agree with this. I believe that Mr. Wells was wrong to say this and take this position. He was also wrong in refusing to reverse the adverse action that was taken against me by the Town of Leesburg for speaking out regarding a concern that Mr. Wells admitted had merit. So, I guess my question to you, Madam Mayor, that I would like to ask is do you believe that an employee of the Town of Leesburg, if they believe that they have knowledge of the police going too far that they should remain silent?

Mayor: “Mr. Borgquist – you always have your first amendment right to speak your mind and here we respect your right to speak your mind and I won’t answer any further questions.”

Borgquist: “I believe that the answer to that question is no, that they should not remain silent – that is good citizenship. Obviously, there are situations and factors that need to be considered; however, the reasonableness and the manner in which things have occurred, I believe that the evidence is very clear that this was an unreasonable action. So, while I realize at this point having come to speak at meetings, there may be certain things that occurred that the action will never be reversed. That being the case, I still believe that it needs to be moving forward that this kind of thing does not happen as this is a very serious issue and it sets a dangerous precedent that needs to be addressed.”

Fred Williams, 21 Wirt Street. “I want to be clear that I am not the Mr. Williams that was referred to by the previous speaker. No relation, nothing to do with that. I am here tonight because I would like to respectfully petition the council to rescind the Noise Ordinance initiation resolution. It was about a year ago that original resolution was passed. Four months ago in January we each received a power point from Mr. Butler and the draft noise ordinance. At the last Council meeting, we finally had a public hearing on it and I’m not going to restate anything that was said in the public hearing, but we had a public hearing. Mr. Butler at that time, despite the absence of a Council member, proposed a motion to adopt what he had proposed. The ordinance did not receive a second. I would say at this time, your time is really valuable. Mr. Butler’s time is really valuable. The resident’s time, who are again here tonight, is really valuable. Staff’s time is precious. You have a lot to do. You have a lot on your plate. I think the time has come to end this. Put it to bed and enforce the current ordinance”.

Hobie Mitchell, “I reside in Loudoun County and have various properties in Leesburg as well. I’m here tonight to talk about Mobile Hope. You heard from Donna earlier speaking about it, but the program and the things that this organization does for our young adults and teens is significant. It sort of catches – such an affluent area in the county – it sort of catches the teens and young adults from falling into another area that we really don’t want them to go, so it is such an – I’ll call it an umbrella – to make sure that they are safe and get a new lead on life. What we are here tonight for is to ask you to look at a text amendment. You will hear a little bit more about the location. Ultimately, what we want to do is build a facility for these young adults and teens so that they can move forward in life and start a new life. So, this is the first step in the process. We met – we have a site in particular that we like and we met with the town staff – in fact I think we met with the entire staff because it was a big room and we had everybody and their brother in the room, so we had pretty good feedback about what was the right process and it came back to us and said this is the right process to go to and go to the Council and ask for a text amendment. We want to start that and ask for your support to start that process and instruct the staff to start looking at that so that we can accomplish the end goal which is to put up a facility at the right place with public input so that these young adults can move on with life and be a positive influence on others as well. Nothing else to say, you’ll hear more later. Thank you very much for listening to us and I hope you’ll proceed forward”.

Kimberly Hise, Walch Colucci, “We will be assisting with the zoning and the processing of the zoning applications, if you chose to do the resolution, which I hope that you do for such a worthy cause. So, anyway, I just wanted to introduce myself under my name as Hise. I got married a couple of years ago and didn’t change my name for a while, so it used to be Cummings. It is very good to see you all and thank you for your consideration.”

The Petitioner’s Section was closed at 8:14 p.m.

9. APPROVAL OF THE CONSENT AGENDA

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

- a. *Appointment to the Thomas Balch Library Commission – Tom Jewell*

RESOLUTION 2015-051

Making an Appointment to the Thomas Balch Library Commission

- b. *Appointment to the Economic Development Commission – Monifa Hamilton*

RESOLUTION 2015-052

Making an Appointment to the Economic Development Commission

- c. *Healthy Eating, Active Living (HEAL) Grant*

RESOLUTION 2015-054

Approving the Submission of a HEAL Grant Application

- d. *Certified Local Government Grant Application – Historic Survey Project and Preservation Opportunity*

RESOLUTION 2015-055

To Support the Historic Survey Project and Authorization for Staff to Submit a Grant Application for Matching Funds from the Virginia Certified Local Government Program

- e. *Donation from Loudoun First Responders Foundation for Junior Police Camp*

RESOLUTION 2015-056

Approving a Supplemental Appropriation of \$300 to the Fiscal Year 2015 General Fund from a Donation Awarded to the Police Department from Loudoun First Responders Foundation, Inc.

- f. *Approval of the Next Town Hall Art Exhibit by Betty Ganley*

RESOLUTION 2015-057

Approval of Art Exhibit by Betty Ganley in the Leesburg Town Exhibit Hall

The Consent Agenda was approved by the following vote:

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

Nay: None

Vote: 6-0-1 (Butler absent)

10. PUBLIC HEARINGS

- a. None.

11. RESOLUTIONS AND MOTIONS

- a. Appointments to the Diversity Commission – Initial Appointments
On a motion by Vice Mayor Burk, seconded by Council Member Martinez, the following was proposed:

RESOLUTION 2015-053

Making Appointments to the Diversity Commission

Council Comments:

- Burk: “This motion is simply to appoint the people to the commission. We have all brought up names and it is the beginning of the process. I’m looking forward to getting it all started”.
- Fox: “I would like to say, reading over the resumes, I think there is a very good and diverse group and I think they are going to do well”.
- Dunn: “I just wanted to mention I did have the pleasure of going to my daughter’s graduation at the University of Mississippi this past weekend and the speaker at her graduation was Rose Jackson Fennell. I’m probably mispronouncing her name, but some of her accomplishments – she was a graduate of the university. She was actually the first black female named to the Student Hall of Fame and was chosen by Glamour Magazine as one of the top ten college women in the United States. She is a top executive with FedEx Global Citizens Group and has over 30 years of marketing and corporate communications, 14 of those years with FedEx. She started with IBM and the accolades go on and on. What she received the standing ovation after she was done talking and the thing that I think I remember so much from her speech was that she said when she was six years old, her father – she had asked her father if she could stop and get an ice cream and this was – I forget what town it was in Mississippi, but that they went inside and she – her father was denied service twice. Even the father offered to go around the back and get the ice cream and was still denied. It was hard for her father, being college educated himself, to drive down the road in the car and tell her that with hard work and God’s blessing there is nothing on this earth that will keep you back and she had proven that. I say that because it was very, very discouraging to have us create a diversity commission, which I really feel would be better served as more of a cultural awareness commission, but a diversity commission that frankly, and I want to make sure this is very clear – based on the statements by Council members, not the public, but by Council Members who were responsible for creating this commission – that some of the comments were basically untruths and insults to many people. There

were comments that said that the town staff – by the Mayor, said that the town staff bends over backwards for Americans. To me that’s an insult to staff to imply that they don’t for other people, yet in her same comment she turned it around and said that town staff did help out somebody with a foreign language that had a hard time understanding things. To then comments by Mr. Martinez who said that because of his Hispanic background that he has been pulled over two to three times every year since he has lived here by the Leesburg Police. I don’t think that’s true and I think it’s an insult to the Police Department. Then there is comments that Ms. Burk said that Leesburg has not been open or unwelcoming to minorities forever. That is an insult to all of us, both minorities and majority people. And Dave, his comment was a little calmer. He said he hoped that we didn’t become Ferguson. To me, I feel that this is not the type of comments that we should have by our public body to initiate a committee. I think we could have done a better job at that. I put a name forward from somebody I hope the commission does a good job. I’m still a little unclear about what it is. I hope that your role – I hope you find your role and your place within the town government and that we can move forward, but because of these comments that established this commission, I am going to abstain on these nominations, just as I abstained on the statute”.

- Umstattd: Does Tom’s nomination of Oliver Peters fail because he is abstaining?
Staff answer: No.
- Burk: “I know you will be shocked, but I can’t disagree with you more, Mr. Dunn. I think this is a commission that is going to do a lot of good things. I think it is an important commission. I think we heard from the community. I think we are responding to the community, which is part of what our job is, so I am very confident that this commission is going to come forward and make a difference, so I’m very happy that we are at this point and that we are finally putting those names forward and going to take the next step and get that commission going”.

*The motion was approved by the following vote:
Aye: Burk, Fox, Hammler, Martinez and Mayor Umstattd
Nay: None.
Vote: 5-1-1 (Butler absent /Dunn abstaining)*

12. ORDINANCES

- a. None.

13. UNFINISHED BUSINESS

- a. Leesburg Noise Ordinance
There was no action at this time due to Council Member Butler’s absence.

14. NEW BUSINESS

- a. None.

15. COUNCIL COMMENTS

Council Member Dunn “Monroe Technical School is going to be getting merged with multiple technical schools outside of Leesburg. I was wondering if that was something that we want to have staff look into and provide a letter to the county on our position on that.”

Council Member Burk “I want to thank the Girl Scouts for coming out tonight. It is great to recognize all their hard work and I think we are going to have a couple of more come out that helped picking up trash. My intent is trying to get recognition for the Girl Scouts as they do work for the community. They learn so much in the process and I think it is well worth recognizing their efforts. I want to congratulate Hershey’s Shake Shop for their ribbon cutting this month and congratulations to the farmer’s market for opening. If you don’t know, the farmer’s market is open here in Leesburg on Saturdays and they have a small one on Wednesdays. It is one of the most successful markets in Loudoun County. So, if you get the opportunity to stop by, it is well worth the effort. I want to thank Visit Loudoun for their excellent award ceremony and ribbon cutting. That was a great event and was wonderful to meet the Secretary of Commerce.”

Council Member Martinez “I would like to ask the Planning Department if they would look at the Mobile Hope property and see if we could have an idea of what the zoning is, and what the zoning that they can move to. Also, how much of that area is buildable because I know there is some flood plain in it. So, if we could get an idea since they are going to be bringing it forward and I understand the Planning Commission is working with Mobile Hope. But, if we can get the information, I’d like to know what the current zoning is, what the zoning they are asking for and how much of that property is buildable with the plat. Then, I want to congratulate all the Diversity Commission people who showed up. Thank you for being part of it. I rarely get called a liar on the Council but I guess I’m not surprised, Tom. Just for those who know, just because it wasn’t recorded doesn’t mean it didn’t happen. I’m just sad that somebody has to go on Council and attack other people because they haven’t got – you know. I’ll leave it at that. I’m not going to do anymore.”

Council Member Hammler “I have a disclosure – I had a phone call with Bob Sevila yesterday of Sevila, Saunders, Huddelston and White regarding the O’Connor’s property north of town. I attended a meeting with Donna Fortier from Mobile Hope and I too was going to bring under New Business – because we don’t have a work session in two weeks, but appreciate Marty bringing forward that. If we can anticipate that we need that information so that we can move forward, take action on whether it is a text amendment. A couple of related things that came up at that meeting – I appreciate looking at. We are looking at possibly working with the School Board and the Board of Supervisors on land they may be willing to provide for a skate park. They need land for their facility for the Life Skills building. They would love to be adjacent to the skate park. If we could take a look at how these things interrelate relative to our current site and where and how even Douglas could be used. I appreciate us also looking at that. Thirdly, could we take a close look at where the HUB Zone boundaries are – if it could be somehow included, it seems very relevant building skills and being able to leverage some of the new businesses. I’d appreciate that. The other new business item I would appreciate consideration in light of

Tom's comments in terms of even reflecting on the exact comments of individual Council members and Lee Ann has initiated a new format for minutes. I think it is important for us to look at the minutes from March 10 in that new format, Lee Ann. If you wouldn't mind preparing those for Council's consideration to rescind the original minutes and then have the new format reflected on March 10. Again, I would that might be – probably old business, but again we don't have a work session so I could not bring that in that context. A couple of things. I just wanted to let the public know that a small dog park is open and ready for four-legged customers. They have done a lovely job. I know we will be getting the word out about that. I wanted to mention that I unfortunately won't be able to attend the business awards or Thursdays – I know Donna was just here, but there is a wonderful Friends of Public Art event on Thursday – 5 x 7. I have a VML Executive Committee in Alexandria on Thursday through Friday. Katherine is coming home right at dinner tomorrow night. I'd hate to leave just as she is walking in the door after her first year of college. I will try to get over there, but I'm anticipating not. So, please send my very best congratulations to all the nominees and award winners tomorrow night. I am looking forward to the Chipotle ribbon cutting on Thursday at 11 o'clock as I'm sure most of the community is as well as Bicycle Outfitters off of Catoctin on Saturday morning. And then, finally I just wanted to say happy belated Mother's Day to all my colleagues on the dais and all the moms out there."

Council Member Fox "Tom, I wanted to let you know your point is well taken. Thank you. I was intrigued tonight by the concept of Mobile Hope and I'm looking forward to learning more about it. I had the opportunity to attend the VML Dinner at Morven Park – very enlightening. I like those opportunities to learn more, especially as they come up from Richmond to help us understand some things. I did attend a ribbon cutting at Hershey's Shake Shop. Very good people, but very good ice cream too. I really enjoyed that. That, along with Chipotle, I'm going to be in big trouble. Actually, I'm not going to be at the Chipotle cutting. I have some business I have to attend to pretty far away, so I will not be here, but I will miss that big time. The last thing I wanted to mention, I was honored this past week to be part of National Prayer Day that was held here at Town Hall. I felt a good sense of camaraderie and I felt it was necessary."

16. MAYOR'S COMMENTS

"Two disclosures. Last Tuesday, I met with representatives of Mobile Hope about their proposal to build a Life Skills Center. Today, I met with representatives of Chesterfield Place. They, as you know, are converting their condo type ownership to townhouse ownership and they were requesting the town waive the requirement that is part of our regulations on subdivision for metes and bounds survey. My understanding having discussed this with the town attorney is we really should not be waiving that kind of requirement and that if we did, it would come back and bite any homeowners in that development later on should they try to sell their homes, so I expect there may continue to be some discussion on that issue. Finally, I would just like to say I got the opportunity to participate in the Smashing Walnuts Walkathon out at Heritage over the weekend in memory of Gabriella Miller, who died of a brain tumor when she was about 10 years old. This was only a couple of years ago. Her parents, Mark and Ellen, have continued to keep the fight that Gabriella started alive by raising hundreds of thousands of dollars for research

to find a cure for childhood brain cancer. It was a very worthwhile event and if you need to find out more about Gabriella’s work and her parent’s work, you can go to www.smashingwalnuts.org. The reference to smashing walnuts is Gabriella asked her mom how big the tumor was and her mom said it is about the size of a walnut, so the family together would take frying pans or mallets and smash walnuts just to symbolize their battle to cure this really horrible disease. I encourage people to find out more about what the Millers have been doing and it was a great honor to be there.”

17. MANAGER’S COMMENTS

Mr. Dentler had no comments.

18. CLOSED SESSION

None.

19. ADJOURNMENT

On a motion by Council Member Martinez, seconded by Council Member Dunn, the meeting was adjourned at 8:37 p.m.

Kristen C. Umstattd, Mayor
Town of Leesburg

ATTEST:

Clerk of Council
2015_tcm0512

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

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

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

Staff Present: Town Manager Kaj Dentler, Deputy Town Manager Keith Markel, Town Attorney Barbara Notar, Assistant Town Manager Scott Parker, Director of Economic Development Marantha Edwards, Director of Planning and Zoning Susan Berry Hill, Director of Plan Review William Ackman, Director of Finance and Administrative Services Clark Case, Director of Public Works Tom Mason, Director of Capital Projects Renee Lafollette, and Executive Assistant I Tara Belote.

AGENDA ITEMS

1. **CALL TO ORDER**

2. **INVOCATION:** Council Member Butler

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

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

5. **MINUTES**

a. Work Session Minutes of May 11, 2015

On a motion by Council Member Butler, seconded by Vice Mayor Burk, the work session minutes of May 11, 2015 were approved by a vote of 6-0-1 (Martinez absent).

6. **ADOPTING THE MEETING AGENDA**

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

Aye: Burk, Butler, Dunn, Fox, Hammler, and Mayor Umstattedd

Nay: None

Vote: 6-0-1 (Martinez absent)

7. **PRESENTATIONS**

a. Certificates of Appreciation – Girl Scout Troops 2183 and 4734 – Clean up Efforts During Keep Leesburg Beautiful Month

On a motion by Vice Mayor Burk, seconded by Council Member Butler, Certificates of Appreciation were approved for the following Girls Scouts for their clean up efforts during Keep Leesburg Beautiful Month.

Rachel Gorman
Kaitlin Vasquez
Rishika Sharma
Quinn Keyes

Lily Kilduff
Meghan McConchie
Celeste Castro
Leila Lucas

Sophie Brent
Risa Dunham-Ben Zion
Mallory Bouman

Emily Brent
Maggie McCrory

- b. Proclamation – 150th Anniversary of the Salvation Army
On a motion by Council Member Hammler, seconded by Council Member Dunn, the following was proclaimed:

PROCLAMATION

150th Anniversary of the Salvation Army

WHEREAS, the Salvation Army’s only business in this community of Leesburg, Virginia, as everywhere, is still human business, undertaken with the joy of family of humankind to the greater glory of God; and

WHEREAS, through sound innovation and professional services, the Salvation Army services the people of Leesburg, Virginia with unshakable faith in all, no matter how desperate the situation and views all people as people with possibilities; and

WHEREAS, the Salvation Army acts on behalf of all the residents of our community, with neither salvation nor any other condition prerequisite, nor expecting any thanks, yet nonetheless welcoming community support; and

THEREFORE, PROCLAIMED that the Mayor and Council of the Town of Leesburg in Virginia extends its congratulations to the Salvation Army on the occasion of their 150th Anniversary, and do urge all citizens to join in saluting the steadfast men and women who bind up the broken hearted and renew the heart of our community by their quiet service of compassion.

PROCLAIMED this 26th day of May, 2015.

- c. Presentation – Status of the Land Development Process
Kaj Dentler gave a presentation on the current status of the Land Development Process.

Key Points:

- Town staff’s mission with respect to the Land Development Process is to protect the interests of the town by ensuring that development projects:
 - Will not become liabilities for taxpayers
 - Will be constructed in a way that protects adjacent and downstream property owners
 - Are designed for long-term success and viability
 - Foster sustainable economic development that helps balance the tax base
- Process flaws were identified and fixed

- Applicants did not have a single point of contact
- Staff from different departments reviewed plans and sent comments without resolving internal conflicts
- No communication with project owners, only their consultants
- Goal of the new process is a defined timeline and predictable outcome
- Staff has no control over how long applicants take to resubmit plans or the quality of plans submitted
- Process works best when:
 - Developers work closely with staff from the beginning
 - Engineers submit quality plans
 - Engineers are familiar with the specific design requirements of northern Virginia
 - Applicants meet with town staff to discuss comments
- Issues add time and complexity to the review process:
 - Remaining parcels in town have challenges such as flood plain, steep slopes and access limitations
 - Infill and redevelopment projects have special challenges
 - Federal and state stormwater management requirements
- Process won the VML Achievement Award in 2011 and was presented as a case study at the Alliance for Innovation's Transforming Local Government annual conference in 2014
- Continued input sessions with stakeholders in the development community to keep improving the process

8. PETITIONERS

The Petitioner's Section was opened at 8:23 p.m.

Dr. John Robinson, Douglass School, "I am speaking in support of Mobile Hope's location on the property on Sycolin Road just down the street from Douglass School. Douglass School has partnered with Mobile Hope for the past two years. As most of you know, Douglass School provides a smaller, more personalized education setting for some of Loudoun's at risk youth. Each year, we serve almost 400 students in our various programs. Thirty-five to forty-five percent of our students receive free or reduced lunch and each year about 10-20 students become homeless during the school year. When Mobile Hope builds their life skills center, it will provide a safe haven for these students. When I say homeless, we need to clarify that. There are currently three to four students at Douglass right now, who we would consider homeless – they meet the official criteria to be homeless. Only one of those is actually living on the street. The other three are what we call couch surfing - spending one night with one family and another night with another so that the families don't even know sometimes that they are homeless. They just think they are spending the night with their son or daughter. Those are the students that need additional support and help. And I cite those because at Douglass, we will take 70-75 new students each year, we actually get referrals for about 200-250 students, so we are taking about one of out every two to three students. I share that because that means that all of the students in need are not just at Douglass, they are all over the county. Mobile Hope has been there to support and help our students and families in need, whether medical needs, clothing, food, or in basic

survival needs, Mobile Hope has been there both on our school site or at sites within the community. Within the last year, Mobile Hope's base of operations has been near the site near Douglass which makes it very responsive to our student's needs. Being so close has actually enabled some of our students to give back by volunteering at Mobile Hope. I encourage you to support Mobile Hope's acquisition and use of the property in question. It will be a great addition to the community and respond to a need that is pretty severe."

Donna Fortier, Mobile Hope. "I wanted to thank you for the opportunity to speak and I understand that you all and I, as well, received the informational memo that was submitted to you all and I just wanted to provide a point of clarification in the memo and kind of address the perception of homeless shelter. I wanted to make sure that there is an understanding that the facility we are looking to build is a youth life skills center that would allow kids the opportunity, yes to live there, but also to understand how to make it in society. As I had mentioned before, so many of these kids are living in survival mode. They don't really understand how to fill out a job application, how to do an interview, so we would like to provide the mentoring, nurturing, caring environment for these kids. We have, as Dr. Robinson said, a great relationship with the school system. We have a great relationship with Douglass Alternative as well as Frederick Douglass Elementary, which is across the street from us. The kids do a lot of drives from the school to Mobile Hope. We have a lot of youth groups that come in throughout the year from many different schools, elementary, middle and high school, so there is a lot of support from the school system to allow a building such as this to help these kids. As Dr. Robinson said as well, a lot of the kids that we want to help are couch surfing. Some are living in cars, absolutely, and in the youth shelter. In the youth shelter, they age out on their 18th birthday and many of the kids are still going to school and still trying to get a diploma. So, we want to be that facility that helps them reach that goal. I did, I wanted to provide some additional reading for your down time, which I am sure you have a lot of, but I also wanted to let you know that the life skills center we are looking to build is for kids 18 to 21 years of age. They will be hand selected. It is not for every child, because not every child who fits that age category is really a candidate for what we are looking to do. So, there will be a selection process. There will be an application process. There will be a contract made between Mobile Hope between these children and young adults, so that they understand that they are responsible for their actions and that there are things that they need to do to live up to becoming a responsible citizen. So, we'd love any time for any of you to come out and look at the facility, get an idea as to what we are looking at doing. I think because of the location that is remote enough, away from a lot of neighbors, it is next to public transportation and it provides a great opportunity and facility to kind of remain on the outskirts of what's available. It does provide these kids public transportation – the W&OD bike path, so it's a wonderful location and I would love for you all to come out and see it. I just wanted to reiterate that it is not necessarily what we would conjure up in our mind when we hear homeless shelter. It's more of a life skills centers for these struggling, at risk young adults. Thank you for your time."

Gwen Pangle, "Tonight, I am here as the president of the Leesburg Downtown Business Association. For the last year and a half, we have been giving the LDBA a facelift and we have just a brief recap since I haven't gotten to speak to you in the last year and a half about the LDBA. The logo has been revamped. Our website, by Pia Miranda has been

completely redone. It is really wonderful, if you haven't taken a look at it. We have made great strides in doing what I call a collaborative effort between the EDC and the Town of Leesburg and Visit Loudoun, because what we wanted to do was capitalize on the big events that come through Loudoun County, through Visit Loudoun, and then take those people and drive a portion of them into downtown Leesburg after the event, during the event, or before the event. So, that's been a big focus for us. To that end, we contracted with BizApps, Maura Bowserman, if any of you know her. She has developed an app called the Leesburg Downtown Business app. If you haven't signed up, or gone to find that, go to your app store and type in DTLeesburg, and you will have an app for Leesburg because everyone is walking around with their head down nowadays, so we thought that we'd capture them where they are. What's happening this weekend, is what I came to tell you about. We became a part of – in fact our first partnership with Visit Loudoun and our first ability to use what is called the check in feature of this app. So, basically destination races, if you haven't heard of it – it's a race that ____ and we are really lucky in Loudoun County to have that here this year, so we decided it would be our first opportunity to use the app and see if we couldn't get that check in feature to work really well before the big Police and Fire Games, which is going to a huge 30,000 people event with Loudoun County having ten of those events, Morven Park being the closest one and probably the biggest one for us, which will be soccer. So, we developed some marketing pieces. We have put it all out on the app. People can go and they can download the QR Codes or they can go to DTLeesburg and we convinced 13 of our merchants to be the first ones in to try this. Friday night, they come to town, the 29th – the racers do. They start to check in. All of the merchants who participated are going to have this in their window so that the racers who had this information in their virtual packet and up on the website for destination races, will be looking for this. All of those 13 merchants will have this in their window. What we have done is to put together an after party – put your toes in the sand – and the party will be up at MacDowells from 4-7 on Saturday, so racers will start checking in as early as Friday when they get here and then they know that the culmination of their check ins, they must check in with four different merchants, and once they do that, it will actually see at MacDowells. When they go to each merchant, they will push on one of these and they are going to check into four. Once they do four, it will say congratulations, you've gained free entry into the Beach Party. Then from 4-7, they can go to MacDowells and they have a special – I think they get what they call a Frickle appetizer and some other things. That will be where their party ends. It will drive – probably our target market is about 500+. We are thinking it could be as high as 8, but we are hoping for at least 500+ from those 4000 in downtown Leesburg. I just wanted to let you know that was happening and to encourage you to sign up for the app and then we will hopefully be able to give you some feedback about how well that went and how we can drive a larger group of people downtown.

Hobie Mitchel, "I had a couple of things, because I saw you had a presentation tonight on the land development process and I only really have one comment. I think the town is very fortunate to have the people from the top to the bottom who have a willingness to make it happen. It is not perfect and we always want something on my side of the table – to do something a little quicker and a little faster, but they have been reasonable and they always ask for different options and different thoughts, as long as it meets the letter of the law of public policy. I think that's enough said, but I think you are very fortunate to have the right people at this place at this time because I know the job is not easy. What I am here

tonight about is Mobile Hope. I was here last time and I can't expound on what you've already heard tonight, but I will give you a little observation food for thought. The last time I was here, there was a wonderful presentation from Girl Scout troops. In fact, I think you had another one tonight. It made me think that's the complete opposite of what we are doing here. Here you have a group of families or individuals that take care of their children and try the best they can to raise those kids and give them some life support – give them some feedback. What we are here about is the complete opposite of that. What we are trying to do – we have a place we believe is the right location, but we need to get your ability to at least allow us to happen. Then with that, we can raise money to actually put the building up which is where we ultimately want to be. I'm very fortunate to have a group of volunteers and individuals who really try to help these young adults and children, because they haven't had that experience of life – a lot of them you saw through public presentations – the complete opposite of what we have. That is why this is so important and you have a lot of individuals who really want to help pull this off and we need your help and we hope you'll support the text amendment we've asked for and we can move on and try to make it come to fruition. Thank you very much and I appreciate your time."

Mayor: I suppose since we didn't have a work session last night, under new business we might entertain an addition to a future agenda for whether we want to go forward with a text amendment and/or any rezoning that might be required to accommodate Mobile Hope. Barbara, do you think that's the proper location on tonight's agenda? There may be other members of Council that want to bring it forward and request it e added. If nobody else does, I will. We will go to new business at the end of the meeting and talk about it.

Andrew Borgquist "I'm here to continue to speak about the issue that I have been bringing on multiple, multiple, multiple times before the Council and continue to come and speak about. I guess – you know I've said quite a bit over the past times I've been here but one of the things I'll say today or tonight be that some of the discussion that you guys are having about good customer service and due process and making sure that things are basically done properly and efficiently – you know, basically good government and so a lot of the issue that I have brought before you is because I feel that there has been a significant break down in considering this aspect of the town of Leesburg that would be something that needs to be fixed, that needs to be addressed and so you know what happened wasn't right. Wasn't fair, wasn't transparent. Ultimately, I think there was a rather significant amount of impropriety that took place within the Town of Leesburg and so Council Member Fox had spoken to me a little bit before the meeting and was kind of asking me you know, maybe it isn't particularly clear what it is that I want in coming and addressing the Council and ultimately what I want is this kind of thing – this kind of inappropriate action to not take place. I have made suggestions on ways that I think you could emphasize that the town takes this seriously and does not condone this kind of behavior. Ultimately, you know, I've left empty handed time and time again and I suppose maybe this meeting, I will be leaving empty handed yet again. But, you know this is important so I will continue to come and hope that this, which I think is fairly obviously not what we want the town to be, that something will be done. I guess – I don't want this to sound like unnecessary flattery, but maybe if I have not eloquently proposed solutions or something of how to fix this, I see some very smart and capable individuals in front of me and perhaps you could help me then define what it is

that could be done to address this. Maybe I can come here and talk about something different.”

The Petitioner’s Section was closed at 8:42 p.m.

9. APPROVAL OF THE CONSENT AGENDA

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

- a. *Approval of Contract for Hope Parkway Extension Project*

RESOLUTION 2015-058

Awarding the Construction Contract for the Hope Parkway Extension Project to Phillips Construction, LLC in the Amount of \$1,759,980.33

- b. *Community Development Block Grant (CDBG) Program Cooperation Agreement*

RESOLUTION 2015-059

Approving an Amendment to the Cooperation Agreement with the County of Loudoun in Order to Remain Eligible to Participate in the Community Development Block Grant Program

- c. *Authorizing the Conveyance of an Easement over Town Property to Washington Gas*

RESOLUTION 2015-060

Authorizing the Conveyance of an Easement to Washington Gas Light Company to Install a Gas Service Line on Town Property for the Leesburg Town Hall Emergency Generator Upgrade

- d. *Authorizing Time Extensions for PMW Farms Section 1 and Section 2*

RESOLUTION 2015-061

Authorizing Time Extensions for Completion of the Public Improvements for PMW Farms – Section 1 (TLCD 2009-0002) and for PMW Farms – Section 2 (TLCD 2010-0005)

- e. *Approval Contract for Town Hall and Police Station Emergency Generator Upgrade*

RESOLUTION 2015-062

Awarding the Construction Contract for the Leesburg Town Hall and Leesburg Police Station Emergency Generator Upgrade

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

Nay: None

Vote: 7-0

10. PUBLIC HEARINGS

- a. None.

11. RESOLUTIONS AND MOTIONS

- a. Amending the Fiscal Year 2015 Budget and Making a Supplemental Appropriation in the Amount of \$100,000 to Purchase Road Salt to Refill the Public Works Salt Storage Facility

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

RESOLUTION 2015-063

Amending the Fiscal Year 2015 Budget and Making a Supplemental Appropriation in the Amount of \$100,000 from the Unassigned Fund Balance to the General Fund to Replenish the Town’s Salt Storage Facility

The motion was approved by the following vote:

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

Nay: None.

Vote: 7-0

12. ORDINANCES

- a. Authorizing Town Participation in the Virginia Municipal League/Virginia Association of Counties (VML/VACo) Investment Pool Trust

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

ORDINANCE 2015-O-011

To Authorize Participation by the Town of Leesburg in the Virginia Municipal League / Virginia Association of Counties (VML / VACo) Virginia Investment Pool Trust Fund for the Purpose of Investing in Accordance with Section 2.2-4501 of the Code of Virginia

Council Member Comments/Questions:

- Martinez: Just what would be the ramifications of not doing this?
Staff answer: The only ramification is that we would not be able to participate in the pool. This is a joint arrangement where different local governments can invest in the pool and they share the cost of buying, selling, administering the purchase of US Treasury Bonds, highly rated corporate bonds, or US Agency bonds in the 18 month to three year maturity range. The town can buy all of those things directly, itself, if it chooses to do so, but it allows us to spread the cost amongst the different communities to buy it and it spreads any risk as the markets go up or down. It just authorizes the town to invest in the pool, it does not commit the town to anything.
- Dunn: How often have we exercised our right to use the benefits of the pool?
Staff answer: We are not allowed to participate in the pool without an ordinance from the town authorizing the Finance Director to invest in the pool. So, this ordinance authorizes us to invest in the pool.

- Dunn: This is our first time doing it.
Staff answer: We have never invested in the pool. We do participate in the Local Government Short Term Investment Pool. That is sent to a money market. That pool right now is returning about 8 basis points. This pool is presently returning about 56 basis points.

The motion was approved by the following vote:

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

Nay: None.

Vote: 7-0

13. UNFINISHED BUSINESS

a. Leesburg Sound Ordinance

On a motion by Council Member Butler, seconded by Council Member Fox the following was proposed:

ORDINANCE

To Amend Town Code Chapter 24 (Offenses Miscellaneous Provisions); Article V (Offenses Against Peace and Order); Division I (Generally); Section 24-182 (Declaration of Policy)

Council Comments:

- Butler: I changed the presented date to be May 26. I made a typo change to the definition of excessive noise and I changed the effective date to be July 1, 2015.
- Hammler: I don't think we have the right copy, then, because that change did not make it to this.
- Umstattd: This is the old one and Dave is bringing up the changes he is proposing right now.
- Butler: Under excessive noise where it says "measured across the residential real property boundary". The way that it currently reads, you could imply that if you just measure it inside a structure, then that's a violation. So, just change the wording slightly to say "measured across the residential real property boundary" or "across a commercial property boundary whether inside or outside of a structure". So, that makes it clear that it has to be across a property boundary. In fact, two meetings ago somebody in the audience brought that up and I just forgot to fix it from yesterday. The third one was the effective date, right down near the bottom – Section IV of the actual resolution on page 10, is effective July 1, 2015. Other than that, it is identical to what was handed out. Our current ordinance is a bad one. I want to give you a couple of examples (*plays notes on the recorder*). You can hear that in the back, right? Well, if I played this in my back yard, I am violating the ordinance. Now, would I get in trouble for doing this in my back yard? Probably not because we have decided to enforce it the way that we enforce zoning ordinances and there has to be a complaint. If I did that in my back yard, it is unlikely that my neighbors would complain, but they could and if

they did, the police would be compelled to come and compelled to tell me to stop playing my recorder. Some people would say, oh no no no. It also needs to be excessive. That is incorrect. It is automatically excessive if it can be heard. That is directly right out of this ordinance. All it needs to be is somebody who complains about a sound or about music that they can hear. However, I can sing – maybe not very well, but I can sing loudly until 10 p.m. and they can't do a thing about it. My wife sings loudly – too bad for the neighbors. I can yell. I can shout. I can blow things up, as long as it is legal to blow the things up, it doesn't matter how loud they are. If I have legal fireworks, it doesn't matter how loud they are. I can do that until 10 p.m. and they can't complain, but they can complain about my recorder. I can run my lawnmower at 7 a.m. on Sunday – they can't complain. I can run my chain saw at 6:30 a.m. on a Sunday and they can't complain. I have another little prop here – I know you guys just love my props. But here is a cute little thing. It is a little gizmo about this big with this thing on the end. Now you can hear it. This is illegal unless I have it registered with the town. Now, again, it is unlikely that somebody is going to complain, but it doesn't mean that the ordinance is a good one. The ordinance is bad because this is illegal. But, I didn't break the law. Why? Because the government has exempted itself from all this. So, I did this in a municipal facility, so I am exempt. In fact, all government related activities are exempt. All school related activities are exempt. I could get away with it though. If I put this on here, and I play a religious song – I'm good. I will claim that's religious expression. Who is to tell me it's not? That's exempt. Cornerstone Chapel is right across the street from where I live or it is going to be right across the street there – and I am perfectly fine with that, but the fact is they could have a rock concert at 3 o'clock in the morning and under this ordinance that says this is a religious activity, it is exempt and they don't even have to register their equipment. They could have speakers 20 feet high. There is no need to register, because right here it says if you have an exception in subsection 4, you don't have to register. So, the town doesn't, the school doesn't. That's okay. Now, how we enforce this is also very interesting. I've already said that somebody has to complain, but let's say I'm playing my recorder and the guy next door is playing a flute and the flute could be a lot louder than my recorder, but a third neighbor doesn't like me or doesn't like the music I'm playing. He can call up – the police will come and the complainant will point to me and say I want him shut down and that's exactly what will happen. Before you say, oh no no no, that's not how it happens, I have an email from the police chief saying that's exactly how it works. If you want a better example, think of let's say Doner Bistro and MacDowells are both playing music. Different types of music – one is much louder than the other. It doesn't matter. If somebody calls up and complains, the police will come with a police walkie talkie. They will bring it one to Doner Bistro and say is this the one that annoys you? Then they will bring it over to Mac Dowell's and say is this the one that annoys you and the person that is complaining picks. It doesn't matter which one is louder. Whichever one the complainant decides to choose gets shut down. That's bad, bad law. We can also claim

basically anything we want as town activity. If you read the ordinance, it basically defines town activity as things like parades, fireworks, things that we put on, but we wink and nod and say First Friday – we’ll pretend that’s a town activity even though it is sponsored by commercial businesses, it is executed by commercial businesses, all the music is on commercial business property. That’s okay. We wink and nod and we don’t bother to say anything. I’m okay with that, because I like First Friday. But if we want First Friday for second Saturday, second Friday...what happens if all those weekends are filled with the same kind of thing? Then we may stop winking and nodding. It is completely arbitrary how we enforce this and I don’t blame the police. They are not the arbitrary ones. It’s just the way that it is built into the process. They are doing the best that they can with a bad, bad law. Now, back to the recorder. It’s not just the recorder that’s a problem. Let’s say you are in a townhome, or an apartment/condo and your next door neighbor is playing the television, or radio or a CD player or their child is practicing their trombone for the school play. If you can hear it – it doesn’t matter if it is loud – you can call the police and they can shut you down. If you are above a restaurant and the restaurant is playing music that you can hear at all through your floor, they can shut you down. It doesn’t matter how loud it is – that’s what happens. This is a bad, bad law and staff and I have constructed what is arguably the best example of a modern noise ordinance that we’ve seen in Virginia. This is what everybody is going to. This is modern. This is effective. We can argue and discuss, compromise, negotiate over the specific decibel levels – that’s fine. I’ve brought them down from where they were in hopes of getting enough people on the council to pass it, but the basic structure of this ordinance is far superior to our current lousy law. The only reason the current law “works” and the only reason we aren’t flooded with complaints is that the vast majority of the town does not know that this ordinance exists and what it says. The best thing for bad law is to shine a light on it. What is it they say? Sunshine is the best disinfectant? Well, the more people that know about our current ordinance, the more problems we are going to have in the town and it is really time for us to get into the 21st century and pass a reasonable decibel based ordinance that is not – doesn’t discriminate against music and is type of noise agnostic.

- Fox: The reason I seconded Dave’s motion is not because I necessarily agree with the total ordinance in front of us, but because I suspect the reason that most localities are going to some sort of decibel based system is because it could be very unconstitutional due to vagueness. So, I have a problem with an ordinance that, if somebody was in violation of it, they wouldn’t know it until somebody complains about it. Because the ordinance that we have on the books right now is so vague, it very well could be unconstitutional because the punishment that is imposed is not even known at this point in time. So, if it is so vague that the average citizen can’t really understand what it is saying, the only violation is the subjectivity, somebody being bothered by noise, which I understand. But, in the statute would literally require clairvoyance to know whether or not you are in compliance. I understand that there has been less complaints and I like that with the statute we have now. I suspect it is

because people are kind of fearful of whether or not they are in compliance. They don't even know whether or not they are in compliance. However, I don't know if I agree with everything in this statute directly. I would like to see some sort of – I think both businesses and residences have a place in this town and they need to work together and respect one another. I think we need to find some middle ground that will make both parties happy. I would like to put forth an idea that maybe somewhere in this ordinance – get it into the ordinance that maybe there is some outdoor music that is acoustic in nature only – no amplification – something like that is not going to settle all the problems, but at least it is a step in the right direction. I want to explore those kinds of things before we pass anything.

- Hammler: The first question we will have to ask now that there is actually a second to this motion. The point I am going to make is that there was not a second to this motion last time and that's a whole separate issue, but do you have any response – I know we have been working on this a long time. I'm assuming, Barbara, you would have told us if our current ordinance is literally unconstitutional and that would have been brought forward.

Staff answer: I don't believe it is – with all due respect to Ms. Fox. You know, the Tanner decision in 2009, the Virginia Supreme Court found that Virginia Beach's ordinance was vague because there was the reasonable standard, meaning that if somebody felt – the police or a complainant felt that noise or sound was unreasonable, then that could be criminally penalized. The Virginia Supreme Court stated that was vague and gave guidance to localities that the plainly audible sound – setting forth that if it is plainly audible and giving certain specific exceptions and examples of noise if it was plainly audible across a property boundary – that was not unconstitutionally vague. To add decibel levels, that makes it even less subjective. I guess you could argue there is an ounce of subjectivity as to what is plainly audible, but that has not been found by the Virginia Supreme Court. The Virginia Supreme Court has not held the plainly audible standard to be unconstitutional and many localities changed their ordinance, like we did. We did have the unreasonable man standard. We changed it to the plainly audible standard. This ordinance now, has added decibel levels, which takes even more subjectivity out of it, but I cannot say that our present ordinance, as it stands now, is unconstitutionally vague – not at all.

- Fox: May I ask then, what “punishment” – I even hate using that word – is imposed then if the plainly audible standard was not met?

Staff answer: If it wasn't met, then you are not in violation of the ordinance. It is a class II misdemeanor if you are plainly audible beyond the property boundary, unless I'm misunderstanding your question.

- Fox: According to my understanding, an American Constitutional law, a statute is void for vagueness and unenforceable if it is too vague for the average citizen to understand. There are several reasons a statute may be considered vague in general. A statute might be called void for vagueness reasons when an average citizen cannot generally determine what persons are regulated, what conduct is prohibited or punishment may be imposed.

Staff answer: The punishment is clearly set forth. It is a class II misdemeanor. There are specific examples of what is in violation of the statute and what is excepted from the statute. Once again, plainly audible has not been found to be unconstitutionally vague. Not in Virginia.

- Hammler: I believe this Council made its decision by not seconding the motion last time and we, therefore, communicated to the public that this issue is closed. I am comfortable with that. I already stated where I see there are flaws in the proposal, such as things relating to the penalties, not understanding who is the manager of the restaurant, unintended consequences as relates to things like First Friday, which benefits the entire town that I do think should be exempt. So, rather than, I think, reiterate so many things that have been said and out of respect for the thousands of hours that have been put into this, I will not be supporting this additional proposal tonight.
- Martinez: I agree with Katie. I thought we had put this to bed. We could have had a motion last week or last time to do it, but out of deference to Dave wanting to be here, we didn't. Then to come back with another ordinance, I felt is not appropriate. I think there is still some work to be done. I personally am tired of the work on this noise ordinance. Let's just put it to bed.
- Burk: Due to my husband's surgery, I was not here for that vote, but watching it on the TV, I thought too that it was dead. If we are going to go on with this discussion, there are some major changes I would insist on if I was going to support this. The decibel levels are still way too high. I don't believe that there should be a night time decibel limit. That should be absolutely plainly audible. Once it is night time, you shouldn't have to worry about hearing noises all the time. I would want the wording on excessive sound to change to indicate that it would be at the border of the property. I am not comfortable with the violation section so I would have some additional issues with this and I would have to make some changes before I could even begin to consider it.
- Dunn: I would say that overall I have concerns with the vagueness of the current noise ordinance because it does leave it up to each individual as to what they consider to be excessive. It is hard to manage that process. Whether we were to go with a decibel system or keep the current ordinance, I still think that one of the things that could possibly be a help to the current ordinance is that the excessive noise is sustainable for a certain length of time. Therefore, if it is a casual noise, if somebody is playing their recorder, as Dave showed, and that noise stops and starts. Normally if somebody is practicing the trombone, and I can tell you, my son who is first year trumpet, it is excessive noise. Somehow it is not music, it is noise. But, he is generally playing a song that has a beginning and an end. I still think that if we are going to go with the excessive noise, it should be something that says that it is noise that is continuous for less than three minutes or less than two minutes or some time frame that Council might feel they would be willing to put into the current ordinance because otherwise anybody that makes a noise, disturbs a neighbor – it is used as a punitive action. Neighbors that are not happy with

each other, the police get there, the sound is not there, the police leave. The sound starts up again. The police come back and they've got to be able to say, okay, I'm measuring this sound. I agree, I can hear it, but it ends after two minutes. I think that a time frame involved would be a good addition to the current ordinance, if we should decide to lay this on the table. I think that just the way it is right now, it is missing that element. If Council wanted to not pick up the decibel standard, then we should at least have some time limit as to how long that noise is acceptable to go on. That would be my recommendation.

- Mayor: I won't be supporting this. I agree with Kelly, Katie and Marty on their various comments about the decibel limit in this being way too high. It is just intolerable, even though, I want to compliment you, Dave, on your recorder playing because you did it very well. I don't want that in my ear either when I am trying to have a conversation in my home or backyard with a member of my family or friends. I just cannot imagine that anybody could tolerate these decibel levels during the hours in which they are proposed. I think there are so many flaws with this ordinance, as proposed. That is not even getting into whether or not we should have to advertise for another public hearing. I just will not be supporting this tonight.
- Butler: I would just point out that if you find my recorder to be annoying, then you would certainly find my lawn mower, tree chopping, yelling and singing probably even more annoying and there is nothing you can do about that per our current ordinance. No, I don't believe that the ordinance is constitutionally vague either, but I would have concerns about it from other aspects because it specifically hammers one type of expression, music. Other types of expression are not hindered at all, so I would argue that's a problem and I would also argue if I am a person with a son or daughter in a band that person would have some right to be able to practice their instrument reasonably without having to go off into the woods somewhere where nobody can hear it. I was also at an ethics conference not long ago. It had nothing to do with kickbacks or anything like that, it was different, but one of the biggest messages they brought was that ethically, you do not have the right to not be annoyed. You do have the right to not be disturbed and there are significant differences between these and plainly audible is below the threshold of annoyed because we can't hear it, you can't possibly be annoyed by it. You have to first be able to hear it, then it has to get to a level where you are annoyed, then it has to get up to a much higher level for you to be disturbed. While it is not constitutionally vague, it is very clear that our current noise ordinance is unethical for a number of reasons. There are definitely things I could argue – but I'm not a lawyer – so I don't know if any of these would hold water, but it is definitely just horrible law. I am sure this is going to come back up because there are a lot of people waiting in the wings just to see what we do and since we did nothing and the biggest reason for us to do nothing is that there hasn't been enough complaints, I would suspect that is going to change. It will force Council to do something. I would have been better if we had done it without having to be forced and if we were reasonable, but it doesn't look like that is going to happen. I will say that it I

kind of like – let’s say that there was a law, and I know there is one pink house in town so let me, I don’t even know who lives there, but let me use them as an example. Let’s say that there was a law that gave tax breaks to everybody who lives in a pink house. Pretty much the only people who knew about that law were the people that lived in the pink houses. They would love the law and there was no way that they would be able to come to an agreement with other people about the tax break for the pink house because it would affect them financially, but if all of a sudden the law was known to everybody in town, there would be two groups of people. One group that would say this is a really stupid law and you really ought to rescind it or modify it or do something else with it; there would be another group of people who would all go and paint their houses pink which might completely destroy the cost/benefit analysis of what we were doing and we have a number of laws in Richmond and in the federal government that are exactly like that – once we find out there are people taking advantage of the law – they are perfectly happy as long as the law is not known, but once we know about this law, a lot of people complain loudly about it. Maybe the law gets changed – maybe not, but that’s a whole other thing. I would just say for Council to be prepared for this to come up again. I don’t know exactly when, but it won’t be a whole long time and I would encourage Council to work towards a reasonable, good law as opposed to the current really bad law, which is bad for a number of very significant reasons.

The motion to approve failed by the following vote:

Aye: Butler

Nay: Burk, Fox, Hammler, Martinez, Dunn, and Mayor Umstattd

Vote: 1-6

Council Member Martinez made a motion to direct staff to stop all work on the noise ordinance. The motion was seconded by Council Member Hammler.

Council Comments:

- Hammler: I do think it is important procedurally so that everybody who has been involved – and thank you all for all of your time, effort, anxiety, willingness to stay on top of this issue – that you definitively know that this is the action of Council to direct staff to discontinue all work on the sound ordinance.
- Burk: Does this mean that this ordinance is done? We are not going to discuss any changes to it – it is dead.
- Mayor: We are telling staff not to touch anything related to the noise ordinance until such time as Council wants to change its mind on that. But, this ordinance, other ordinances at this time.
- Dunn: I can’t support this because actually I was going to make a suggestion that I have already made that I still think the current ordinance has two features that could actually help people and help us manage the current ordinance. One is that if people need to or want to have louder music there is a permitted process that coincides with how we manage special events and

that number should probably equal what we have already established for special events and then I still believe that the sound that is “disturbing” or excessive, that it be a sustained sound for a certain period of time. I was going to suggest that we take it to a work session just to add those two items to the current ordinance, so that we don’t do anything else with the current ordinance, we at least add those two features, which is to again add a permanent process that coincides with special events and that the sound has to be sustainable for a certain period of time – whatever Council feels is appropriate and I am suggesting two to three minutes.

- Mayor: I will be supporting Marty and Katie’s motion to direct staff to stop work.
- Fox: I think that there are things that could be changed that would benefit the town, but it doesn’t sound like that’s what’s wanted. That is why I will vote nay. I don’t want to stop all work. I want there to be some sort of objective policy out there. It doesn’t sound like it has been fire of the belly of this council. I think it is important to go that way; however, I just don’t want to stop.

The motion to direct staff to stop work on noise ordinances was approved by the following vote:

Aye: Burk, Hammler, Martinez and Mayor Umstattd

Nay: Butler, Dunn and Fox

Vote: 4-3

14. NEW BUSINESS

a. Additions to Future Council Meetings

Mayor Umstattd: Mobile Hope - There was consensus to put this on a future work session for discussion.

Vice Mayor Burk: Extension of the Arts and Cultural District – There was consensus to have this on the next Council meeting for possible initiation.

Council Member Butler: Initiation of a Zoning Ordinance amendment to change the street designation of Davis Avenue. This will be added to the next agenda under the current Council Rules of Order.

Council Member Dunn: Requested a work session regarding reducing restrictions on drive-throughs in mixed use developments. It was decided to have a memo to outline the issue. He asked for an update on work on the H-2. Council agreed that an update on the H-2 is needed. Further, he questioned what police action was taking place at the Battlefield/Rt. 15 Bypass north. He also noted there is a pothole near that intersection. He questioned the progress of placement of flags on town light poles. It was noted that the poles are those owned by Dominion Power and permission needs to be granted before they can be installed.

15. COUNCIL COMMENTS

Council Member Dunn “I was very pleased to see the tremendous turnout at the Memorial Day ceremony at the Courthouse. The Memorial Day ceremony yesterday had probably what I think was the best turn out we’ve ever had and it is really good to see that. In standing where I was – I was over by where the monuments are. I was thinking it would be so great – I was looking at the blank sides of it and I was thinking it would be great if it remains that way. We don’t need any more names on monuments. General Lee, at the Battle of Fredericksburg where there were thousands of Union troops having to charge uphill and were being cut down in great numbers said that as well – that war is so terrible lest we grow too fond of it. Thinking about Memorial Day, we often think about the soldiers who have lost their lives and that’s the main purpose of Memorial Day, but in reality Memorial Day was established by the family members remembering those soldiers. We should not lose sight of the family members of the fighting men and women who have lost their lives. They are the ones who should also be memorialized. I wanted to read a quick letter – you all have heard this before. I think I’ve read it before, but I thought it was poignant this year in thinking more about those family members who have lost military personnel – part of their lives. The letter is from Abraham Lincoln to Mrs. Bixby. It reads from the Executive Mansion, Washington, November 21, 1864. Dear Madam. I have been shown in the files of the war department, as statement of the adjunct general of Massachusetts that you are the mother of five sons who have died gloriously on the field of battle. I feel how weak and fruitless must be any word of mine which shall attempt to beguile you from the grief of the loss so overwhelming, but I cannot refrain from tendering my condolences that may be found in the thanks of the republic they died to save. I pray that our heavenly father may assuage your anguish of your bereavement and leave you only the cherished memory of the loved and lost and the solemn pride that must be yours to have laid so costly a sacrifice upon the altar of freedom. Your’s very respectfully, Sincerely, Abraham Lincoln. I found it interesting in that letter, he does not really go into a lot of detail of the soldiers who have died but in the considerations of the loss of the family member. On this Memorial Day it was something that really hit home for me having last year lost a cousin who had been in the Marines and did not die on the field of battle, but died from most likely post-traumatic stress – mixing wrong chemicals together and at such a young age lost his life. He had served in the honor guard at the Marine barracks. Had served overseas a number of years. Had served after that in special, private security guard service over in the Middle East and it is those members too that go unnamed, but the family members feel it just the same.”

Council Member Butler: “I had a couple of disclosures. I spoke with Molly Novotny – she gave me a general update on various applications of theirs. Talked with Christine Gleckner related to Crescent Parke and that is who advised me of the zoning text amendment that we needed to do. I also thought that the Memorial Day presentation was good. The Mayor did an excellent job as always. Also, I am really sorry that I missed the staff picnic. I had planned on going. I was all dressed for it, but I brought my car in to get about a half an hour’s worth of work and 3 ½ hours later, I was out of there. So, I was done right about when they were probably cleaning up the food, so it was a bummer. I hope it was a really good event.

Council Member Burk “I want to congratulate the EDC and Marantha on the great job for the business awards. It was a great event. It was really well done and I know that the

businesses are really appreciative and were delighted to be recognized. I also want to congratulate the Friends of Leesburg Public Art on their terrific first time fundraiser. It was really, really unique and very different and they raised a lot of money. So, next year, it will be an even bigger deal. They put a lot of time and effort into it so that was great. Congratulations to the Bicycle Outfitters for the opening of their new location. It has moved. It started in a little itty bitty little spot and it has just grown and grown and grown. They are very excited to be where they are. They are located in the Virginia Village where the old Ben Franklin used to be. I want to thank the organizers of the Beat Cancer at Shenanigans the other day – the other weekend. It is an example of people caring for one another and raising funds to help cancer victims and their families and it was great to see all the musicians who willingly gave their time and shared their talent for such a good cause. I think Stilson Greene was one of the organizers of it and they did a really good job and it was very inspiring and a lot of fun. My congratulations to Salvation Army. I attended their volunteer recognition and boy that was a really neat event. They have so many people that are so willing to help out in doing things. When you said down there on the dais – quietly, they really reach out to and help people. There were young kids there that they have helped and it was just really inspiring to see all those people. I want to thank the Girl Scouts for helping pick up all that trash. I was not here for Memorial Day, but I did participate in the parade in Wilmington, so that was great.”

Council Member Martinez “I also have to talk about the Memorial Day ceremony. That was absolutely wonderful. I remember a few years ago when somebody showed up on the lawn and there was nobody there. With your leadership and others we have reestablished it and I think it is a wonderful event memorializing our troops. Also, I know that there is a lot of happy Leesburg residents with the grand opening of Chipotle. I heard that was pretty crowded. Sorry, I missed that. Honestly, Hershey’s Ice Cream Shop has become the place to go to in the evenings. Very nice. The good news is for me at least, or my son, is they are the ice cream vendor at Potomac National’s Park, so my son gets to see them every time there is a game. I thought that was pretty great. The only disclosure I have is I have talked to Mobile Hope about what they want to do with the changes in zoning and Fire and Rescue – we talked to Fire and Rescue about the skate park.”

Council Member Hammler “A couple of quick disclosures. I also spoke with Molly Novotny about the Battlefield Shopping Center Master Sign Plan. I met with Hobie Mitchell and Bill Ostrander for an update on Crescent Parke. I did have one question for staff to provide their guidance on a change that I saw which was that they are looking at building a bike path that essentially goes from King Street – essentially goes to nowhere. It doesn’t connect to downtown, which really would have been the goal at the expense of all of the interior walking paths that would have kind of connected things around the pond and so forth, so staff said they would take a quick look at that. Just FYI, I did notice that maybe the higher, better value might be looking at something that could be an immediate benefit. I had a phone conversation with Bob Sevilla on the 22nd and also received a phone call from Peter Burnett about the county courthouse. Everybody has mentioned all the great events we have all attended. The town business awards. I will echo Kelly – great job, Marantha and the entire EDC. Well done. I was particularly pleased, for good reason, that Eric Major won the Innovation Award. I think that we all recognize the fact that because of the tension, we haven’t really been able to embrace what a phenomenal business leader he is in

town and how much his presence and expansion means in town to all of us. I did make a point when the Secretary of Commerce came to town for the Visit Loudoun ribbon cutting to specifically thank him as well for all of his support for what is a huge achievement. Back to the kudos on the land development process from earlier. True, Marty, there were lines around the building when we cut the ribbon for Chipotle, but I understand you are right, they are there every single day. Family members have been trying to find the right time to get over there. Another awesome thing for Leesburg. Congratulations to Bicycle Outfitters on their expansion. Great news for all of us. The only thing I'll add about Memorial Day ceremony is what a wonderful job Judge Horne did. Wonderful remarks. I look forward to seeing you next time."

Council Member Fox "I'd like to congratulate Officer Patrick Daly on his promotion to lieutenant. I think that's wonderful. Salvation Army luncheon. It was a really good time – the volunteer recognition luncheon. The one thing I didn't know that I did learn was that the Salvation Army was actually a church. That was something I just didn't know after all these years of knowing about Salvation Army – so you learn something new. Leesburg Business Awards – congratulations to all the recipients of the awards and the runners up. Thank you, Marantha, for that effort – and the EDC. Staff picnic – wonderful! Ate too much. Memorial Day observation – I was very honored to be able to attend that. It was well done and very well attended."

16. MAYOR'S COMMENTS

"I think everybody has already said everything. I'd just like to thank, especially those who were at Memorial Day – the boy scouts, the girl scouts, the National Guard. The VFW does a wonderful job running the show and town staff did a really spectacular job, as usual. Parks and Rec staff on setting it up and our street division at putting all the chairs away. It was a great event. I was just so thankful that we had decent weather this year."

17. MANAGER'S COMMENTS

"First, as Mayor, you were with us this morning – we are pleased to announce that the first drop box for prescription pills has been installed at our police station. Again, the first one in the county thanks to Chief Price, a grant from CVS, and Dr. Goodfriend working together as a partnership. That is located in our lobby – secured to the wall and medicine is disposed of properly on a regular basis. Second good news is – for the 28th year in a row, the town has received a recognition of excellence for our budget and financial reporting process. We just received that at the annual conference last week that Clark Case attended. Clark did not want to be the first finance director to break that string, so 28 years in a row. Last, tomorrow for those that can attend is our employee service awards ceremony at 11 o'clock right outside in the Rose Garden followed by a very simple lunch downstairs. We have many employees being recognized for their years of service. Two that will be receiving 30 years of service, Tom Mason and Mac Willingham."

It was noted that the contingency plan in case of rain for the service awards would be to hold them in the Council Chambers.

18. CLOSED SESSION

None.

19. ADJOURNMENT

On a motion by Council Member Butler, seconded by Council Member Martinez, the meeting was adjourned at 9:45 p.m.

Kristen C. Umstattd, Mayor
Town of Leesburg

ATTEST:

Clerk of Council
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