

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

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

Council Members Absent: None.

Staff Present: Town Manager Kaj Dentler, Town Attorney Barbara Notar, Deputy Town Manager Keith Markel, Director of Planning and Zoning Susan Berry Hill, Deputy Director of Planning and Zoning Brian Boucher, Chief of Police Vanessa Grigsby, IT Project Manager John Callahan and Paralegal Carmen Smith.

AGENDA

ITEMS

1. **Items for Discussion**

- a. **Text Amendment – Downtown Residential Parking**
Brian Boucher gave a brief presentation on the proposed text amendment.

Key Points:

- Would apply to the H-1 Overlay District
- Parking can be purchased; however, fee does not guarantee a particular parking space nor pay for the cost of providing one.
- Developers feel that the requirement for onsite parking adds too much to the cost of development.
- Developers argue that removal of the requirement for onsite parking will spur quality residential development and provide “feet on the street” for the economy.
- Recent changes to parking code downtown have impacted parking.
 - Increased Parking in Lieu fee
 - Deleted the ability to count the county’s garage as parking
 - Additional Residential Permit Parking zones
- Staff would like Council to:
 - Direct staff to conduct a comprehensive examination of downtown parking issues.
 - Develop a plan to address future parking needs for all uses.

Council Comments/Questions:

- Dunn: Stated that parking in lieu has not worked. Further, he commented that the Council needs to find out what the county’s plans are for the government center since it will affect parking downtown. He stated he is hesitant to dictate private owners parking. He questioned whether office space can be reverted to residential without legislative approval.
- Boucher: Stated that the ordinance states if the lot is very small, under a certain size, you can pay in lieu; however, any lot that falls outside

that size will have to provide parking either onsite or somewhere within 300 feet.

- Gemmill: Stated he favors a comprehensive approach to downtown parking.
- Burk: Questioned whether the buildings were originally single family homes converted to commercial but when converting back, they will no longer be single family homes.
Boucher: Stated most of these conversions will most likely be converted to mixed use.
- Martinez: Stated that trying to help one property owner may have negative side effects for others. He stated his feeling that the parking in lieu fee needs to be raised.
- Hammler: Stated Council needs to see if there are any other projects that may be affected if it takes too long to look at the parking from a comprehensive standpoint. She noted that parking use is changing for different uses and this is an opportunity to update parking requirements to reflect more modern uses.
- Fox: Requested clarification on what the residential parking requirement is as opposed to the commercial parking requirement.
Boucher: Stated that for single family detached, it is different than for apartments. He stated that it is based on the number of bedrooms.
- Fox: Confirmed that the Planning Commission deferred action.
Boucher: Stated the Planning Commission preferred a comprehensive plan rather addressing parking piecemeal.
- Butler: Expressed his opinion that commercial uses require a certain amount of parking and if that amount is greater than what a residential use would require, there is no reason to request additional parking.
Boucher: Stated that residential uses downtown have been concerned about having adequate parking as shown by the number of permit parking zones that have been created and the concern is that if additional residential is created, people will expect to have a place nearby to park their vehicle.
- Butler: Noted that the parking in lieu fee feels more like a fine than a payment because it does not actually provide any additional parking. He questioned the length of a comprehensive parking assessment.
Berry Hill: Stated that the goal is to complete the recently initiated amendments by the end of the year so that this could be undertaken next year.
- Dunn: Suggested a temporary amendment to allow conversion as long as additional spaces, over what is already provided, are not needed.
Boucher: Stated that staff can look at this option.
- Martinez: Stated that in other localities, residents could claim an on-street spot after 6 p.m.
- Hammler: Noted that Mr. Ash had offered to allow his parking lot to be used after hours and requested that staff get a letter of intent to that effect.

Mike McLister: Stated that parking becomes a larger fee in the development process and that is why there are not a lot of projects being done downtown. He stated that there can be come compromise to allow development.

b. Joint Task Force Police/Sheriff Efficiencies

Kaj Dentler stated last year Council initiated a joint task force with the county sheriff's office. He stated that the task force met in early February and will have another meeting this month. He noted that there is only one remaining policy point for Council decision – school resource officers.

Key Points:

- The town officers will be able to use the county's new firing range.
- The town would like to tap into the county's dispatch system – but will require more detailed conversations.
- The town will receive office space in the Sheriff's office on Sycolin Road so the current space at the Leesburg Executive Airport can be rented for approximately \$38,000. This is temporary until the Sheriff's office needs the space.
- Council will have to make a decision as to whether the town will continue to provide School Resource Officers for the town's middle and high schools, of which the county pays 70%.
- The County Administrator will put 100% coverage in his budget to be ready for whatever the Council decides.

Council Comments/Questions:

- Fox: Questioned whether anyone had considered using the county space on Harrison Street that is currently vacant.
Dentler: Stated that the Sheriff is not willing to give up any space because there is concern that expansion will require more space.
Grigsby: Indicated that the property on Harrison Street is owned by Loudoun Water.
- Hammler: Stated she is looking forward to getting direction from Council.
- Martinez: Questioned whether this discussion includes the officer for Douglass Community Center.
Dentler: Stated that the county is already paying 100% for that program because Council asked the County to do that.
- Burk: Stated that the Loudoun Water building should be considered for expansion plans.
Dentler: Stated if Loudoun Water was willing to lease it, there would be a cost to the town. He noted that when Chief Price was here, they looked at the site. He was concerned that there was not sufficient parking and would require the department to be split to two locations.

- Burk: Questioned whether the Leesburg Police position that School Resource Officers for Leesburg schools remain Leesburg police officers has changed.
Grigsby: Stated it is a valuable part of the community policing program.
- Gemmill: Stated he is thrilled about sharing the firing range and the county's computer assisted dispatch system has a lot of promise.
- Dunn: Stated that the county should not request any money for participating in the dispatch system because they get town taxpayer money. He stated that town residents have an equal share in anything they purchase. He expressed confusion about how there would not be communication between Sheriff's office SROs and town police. He requested that council authorize asking for the county to pay for this.
- Butler: Questioned what the SROs do during the summer.
Grigsby: Stated that several run the youth camps and cover the summer schools but the remainder will go on the street.
- Butler: Questioned whether the \$550,000 is gross or net. He asked for clarification.
Dentler: Clarified that is the 30% cost for the SROs.
- Dunn: Stated that in the summer, the SROs are primarily doing school related functions and do minimal work on the street.
- Hammler: Asked for an update on how the Sheriff's deputy at Douglass is working. She stated that there is an expectation that communication will occur between the Sheriff's office and the town police.

2. Additions to Future Council Meetings

Dunn: Asked for clarification from Council on the communications system.

There was consensus from Council to ask the County to pay 100 percent for participation in the communication system.

Mr. Dentler stated that the county has given a lot; however, the only real direction that the Council needs to give is on the SRO program, which does not need to be done tonight but will need to be done as part of the budget.

Burk: Asked Council to consider writing a letter to the Board of Supervisors to initiate discussion about changing the bus routes to reflect the opening of the new Walmart.

There was Council consensus to put this on the work session for the next meeting.

Burk: Requested an easy to access report to allow citizens to see how council voted.

There was consensus for an information on memo on how staff would accomplish this.

Martinez: Stated he may be late to tomorrow night's meeting.

Hammler: Stated that Ms. Beijan would like to address Council further on fluoride and its negative health impacts.

There was not consensus to address this topic.

Fox: Requested a discussion on a master plan for Mervin Jackson Park.

There was consensus for a work session on this topic.

Butler: Asked that initiation of a town code amendment for automated parking payments be put on the agenda for tomorrow night's meeting.

There was consensus for this.

Butler: Asked for an information memo on extending the turn lane on Rt. 15 north prior to Frances Hazel Reid and Smartt's Mill.

There was consensus for an information item.

Butler: Asked for an information memo on no through trucks north of the schools on Rt. 15.

There was consensus for an information item.

Butler: Asked for a waiver of fees for the Old Stone Church event.

There was consensus for this to go on tomorrow night's agenda.

Butler: Requested that Mekaki Felder be allowed to be an honorary Council member for tomorrow night's meeting.

There was consensus to allow this.

3. Adjournment

On a motion by Council Member Martinez, seconded by Council Member Dunn, the meeting was adjourned at 9:39 p.m.

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

Council Members Present: Kelly Burk, Thomas Dunn, II, R. Bruce Gemmill, Katie Sheldon Hammler, Suzanne Fox, Marty Martinez and Mayor Butler.

Council Members Absent: None.

Staff Present: Town Manager Kaj Dentler, Town Attorney Barbara Notar, Deputy Town Manager Keith Markel, Director of Economic Development Marantha Edwards, Director of Capital Projects and Public Works Renee Lafollette, Deputy Director of Planning and Zoning Brian Boucher, Transportation Engineer Calvin Grow, Land Acquisition Manager Keith Wilson, IT Project Manager John Callahan and Clerk of Council Lee Ann Green.

AGENDA

ITEMS

1. **CALL TO ORDER**

2. **INVOCATION** was given by Council Member Dunn

3. **SALUTE TO THE FLAG** was led by Melaki Felder

4. **ROLL CALL**

a. Roll Call showing all members present.

5. **MINUTES**

a. Regular Session Minutes of September 12, 2016.

On a motion by Council Member Dunn, seconded by Council Member Hammler, the regular session minutes of July 26, 2016 were approved by a vote of 7-0.

b. Work Session Minutes of August 8, 2016.

On a motion by Council Member Dunn, seconded by Council Member Gemmill, the work session minutes of August 8, 2016 were approved by a vote of 7-0.

c. Regular Session Minutes of August 9, 2016.

On a motion by Council Member Fox, seconded by Council Member Hammler, the regular session minutes of August 9, 2016 were approved by a vote of 7-0.

6. **ADOPTING THE MEETING AGENDA**

On a motion by Council Member Gemmill, seconded by Council Member Dunn, the meeting agenda was adopted as presented by the following vote:

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

Nay: None

Vote: 7-0

7. PRESENTATIONSa. Proclamation – Hispanic Heritage Month

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

PROCLAMATION

Hispanic Heritage Month

September 15-October 15, 2016

WHEREAS, September 15 through October 15, commemorating the anniversary of independence for seven Latin American countries, is designated by the Federal government as a time to recognize the achievements and contributions of Hispanics in this Country; and

WHEREAS, our country draws its strength from the contributions of a diverse people; and

WHEREAS, this month's theme, "Honoring our Heritage, Building our Future", reminds us of all the ways Hispanics have enriched our community, shaped our character and will continue to do so into the future; and

WHEREAS, Leesburg's Hispanic community continues to make significant cultural and economic contributions to our Town; and

THEREFORE, the Mayor and Council of the Town of Leesburg in Virginia hereby proclaim September 15 - October 15, 2016 as Hispanic Heritage Month and encourage all residents to join in recognizing and preserving the contributions made by Hispanic Americans.

PROCLAIMED this 13th day of September 2016.

b. Proclamation – Constitution Week

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

PROCLAMATION

Constitution Week

September 17-23, 2016

WHEREAS, The Constitution of the United States of America, the guardian of our liberties, embodies the principles of limited government in a Republic dedicated to rule by law; and

WHEREAS, September 17, 2016 marks the two hundred twenty-ninth anniversary of the framing of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, It is fitting and proper to accord official recognition of this magnificent document and this memorable anniversary, and to the patriotic celebrations which will commemorate it; and

WHEREAS, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week; and

WHEREAS, the tradition of celebrating the Constitution was started many years ago by the Nations Society of the Daughters of the American Revolution (NSDAR). In 1955 the Daughters petitioned Congress to set aside Sept. 17-23 annually for the observance of Constitution Week. Congress later adopted a resolution to do so and Public Law 915 was signed into law on August 2, 1956 by President Dwight D. Eisenhower.

THEREFORE PROCLAIMED by the Council of the Town of Leesburg in Virginia that the week of September 17 through 23 is **CONSTITUTION WEEK** in the Town of Leesburg and ask our citizens to reaffirm the ideals the Framers of the Constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties.

PROCLAIMED this 13th day of September, 2016.

- c. Proclamation – Blood Cancer Awareness Month and Lymphoma Awareness Day

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

PROCLAMATION

BLOOD CANCER AWARENESS MONTH

September 2016

LYMPHOMA AWARENESS DAY

September 15, 2016

WHEREAS, Lymphoma is the most common form of blood cancer and the third most common cancer of childhood; and

WHEREAS, more than 80,000 new cases of lymphoma are diagnosed each year in the United States, including 1,900 in the State of Virginia; and

WHEREAS, a cure for lymphoma can only be realized through advanced cancer research; and

WHEREAS, awareness and education are powerful tools in the race to find a cure for lymphoma; and

WHEREAS, the health and vitality of the people of the Commonwealth of Virginia are significantly enhanced by local efforts to increase communication and education pertaining to blood cancers; and

WHEREAS, the Lymphoma Research Foundation offers a wide range of support services and programs for people with lymphoma, their loved ones and caregivers.

WHEREAS, Lymphoma Awareness Day helps to raise general awareness of the disease and provides hope to all those affected by a lymphoma diagnosis; and

THEREFORE, BE IT PROCLAIMED by the Mayor and Council of the Town of Leesburg in Virginia that September is Blood Cancer Awareness Month and September 15, 2016 is Lymphoma Awareness Day in the Town of Leesburg and all citizens are urged to support the efforts to find a cure for these diseases and to offer support to those who have been affected by them.

PROCLAIMED this 13th day of September, 2016.

- d. Certificate of Recognition – Scott Coyne (Leesburg Days Inn)
A Certificate of Appreciation was presented to Scott Coyne for his efforts to bring visitors to Leesburg.
- e. Certificates of Recognition – Virginia Storm
A Certificate of Appreciation was presented to Norman and Mardesky Blowe for bringing the Virginia Storm to Loudoun County and Leesburg.
- f. Certificates of Appreciation – Keep Leesburg Beautiful (Girl Scout Troop 2183)
Certificates of Appreciation were presented to the following members of Girl Scout troop 2183 for their demonstration of civic responsibility by participating in the Keep Leesburg Beautiful clean up event.

Deanna Cain
Lily Kilduff
Meghan McConchie

Rachel Gorman
Kaitlin Vasquez

g. Certificates of Appreciation – Keep Leesburg Beautiful (Loudoun County Goat Club Members)

Certificates of Appreciation were presented to the following members of the Loudoun County Goat Club for their demonstration of civic responsibility by participating in the Keep Leesburg Beautiful clean up event.

Carly Campbell
Kathy Brown
Amelia Huddleston
Erin Davis

Amy Brown
Ryan Virts
Cindy Huddleston
Kim Williams

h. Certificate of Appreciation – Keep Leesburg Beautiful – Chloe Alexia Taylor

A Certificate of Appreciation was presented to Chloe Alexia Taylor for her demonstration of civic responsibility by participating in the Keep Leesburg Beautiful clean up event.

i. Certificates of Appreciation – Keep Leesburg Beautiful (Girl Scout Troop 354)

Certificates of Appreciation were presented to the following members of Girl Scout Troop 354 for their demonstration of civic responsibility by participating in the Keep Leesburg Beautiful clean up event.

j. Certificates of Appreciation – Keep Leesburg Beautiful (Girl Scout Troop 6658 and 3495)

Certificates of Appreciation were presented to the following members of Girl Scout Troops 6658 and 3495 for their demonstration of civic responsibility by participating in the Keep Leesburg Beautiful clean up event.

8. **PETITIONERS**

The Petitioners section was opened at 8:05 p.m.

Dave Milburn, 702 Hetzel Terrace, stated he is in favor of the Crescent Parke development. He stated everyone has an opinion, either for or against and every opinion is protective of someone's interests. He stated Hobie has put together a plan that has worked in a good way to bring growth to the town and in keeping with the old town feel. He stated it is important to do things in a graduated manner in keeping with the traditions of the town.

Cheryl Settlemyer Beebe, 470 Kornblau Terrace, stated she is a new resident of Leesburg in Crescent Place. She stated she also works in Loudoun County. She stated she is in favor of the application because of the benefits it brings to the town. She stated

she loves the improvement that Crescent Place has brought to the area. She stated she feels certain that by accepting this plan, there will be another neighborhood that will be significant vitality to the town.

Bob White, stated he represents the interests of Courthouse Square. He stated he hopes that Council will find a way to resurrect this plan. He stated that this project sits at the south end of the Crescent District and his project anchors the north end of the same strip of developable area. He stated this area has tremendous potential and there is an opportunity to create a walkable environment.

Gwen Armstrong, 304 Patterson Court, NW, addressed Council regarding “everyday kindness”. She stated a small act of kindness can have a larger effect. She stated that acts of kindness need to be done every day regardless of what has been done the day before.

John Percun, Sr., 419 Kornblau Terrace, stated he moved from Cleveland to Virginia several years ago. He stated there is a sense of community here in Leesburg. He stated he stands behind what Hobie is trying to do because it brings so much to the town.

Rob Lyden, 1414 Harle Place, SW, stated he would like to ask the Council to take another look at the application as revised. He stated he has lived in Leesburg for a long time. He stated he looked at both the original application and the revised application and the revised application offers an opportunity for the town to get a high quality, high density residential district in that area of town. He stated if the Council does not approve this application, another developer will come in under the new rules.

Russell Yergin, Virginia Knolls, stated he is in favor of the Crescent Parke application being reconsidered. He stated many of the complaints that the community had were addressed by Mr. Mitchel.

Victoria Yergin, Virginia Knolls, stated that the Virginia Knolls community asks to reignite dialogue on the project for the following reasons and it should be revisited after the election. She stated the reason for the “no” votes had no relationship to key elements. She stated the residents of the neighboring areas did not have any interest in signing the petition against the project because they are in favor of the project. She stated this is a good application that does not put any additional traffic on the road and protects the residents by the marriage of residential and residential and shields them from commercial installations right outside their back doors.

Michael Seate, 229 Town Branch Terrace, stated this is important for Leesburg and the future of the city.

Chris Rajca, 208 Primrose Court, SW, stated he has lived in Loudoun for 55 years. He stated he intends on staying in this town. He stated he does not want to see all the quality development in the county occur at One Loudoun, which does not bring

anything to the town. He noted that everything that Hobie does, he does well. He stated you know this is going to be a success.

Ralph Ferriolo, 216 Edwards Ferry Road, stated that he is thrilled to see this being reconsidered. He stated that the people who are moving into Crescent Place are moving in because of the lifestyle that Leesburg offers. He stated they are not looking to just sit there after work and Crescent Parke offers much the same thing.

Hobie Mitchel, stated that the plan submitted in August reduces the number of residential units from 380 to 344 and eliminated the area that would be developed on in Izaak Walton Park – 2.33 acres. He stated that will remain parkland. He stated the units that were residential above retail would be made age restricted, age 55+. He stated this reduces the number of school children; however, they did not reduce the proffers. He stated the money would be reallocated to make repairs to the pond on Izaak Walton Park, if the town owns the park, but if the town does not own the park, it can be converted to transportation improvements. He stated they will also be changing the commercial phasing. He stated this application deserves another look. He requested that the Council move to reopen the application so that they can talk to staff and hold another public hearing.

Jim Sisley, stated he is 23-year resident of Loudoun and Leesburg. He stated he lived in Reston and the difference between Reston and this town is that Leesburg has a soul. He stated Reston is a massively planned community and continues to grow and deliver new residents and lots of traffic. He stated this is not a project like Reston. He stated the comparison to what Crescent Place was before is between night and day. He stated he would love the Council to find a way to reopen consideration of this project.

The Petitioners section was closed at 8:57 p.m.

9. APPROVAL OF THE CONSENT AGENDA

On a motion by Council Member Dunn, seconded by Council Member Gemmill, the following consent agenda was proposed:

- a. *National Capital Region Water and Wastewater Agency Response*

RESOLUTION 2016-114

Authorizing Execution of the National Capital Region Water and Wastewater Agency Response Network (NCR WARN) Mutual Aid Agreement

- b. *Public Improvements at Oaklawn Landbay B*

RESOLUTION 2016-115

Accepting the Public Improvements, Releasing the Performance Guarantee and Approving a Maintenance Guarantee for Oaklawn Landbay B (TLPF 2014-0024)

- c. Authorizing an Agreement, Approving a Sewer Extension Permit and Waiving a Performance Guarantee for Loudoun County Courthouse Expansion Phase III, Pennington Lot Church Street Extended and Garage

RESOLUTION 2016-116

Authorizing an Agreement and Approving a Sewer Extension Permit and Waiving a Performance Guarantee for the Loudoun County Courthouse Expansion Phase III, Pennington Lot Church Street Extended and Garage (TLPF 2016-0004)

- d. Battlefield Parkway Trail Across the Route 15 Bypass Project

RESOLUTION 2016-117

Authorizing the Town Manager to Execute an Agreement with the Virginia Department of Transportation for Funding of the Battlefield Parkway Trail Across the Route 15 Bypass Project and Amending the Fiscal Year 2016-2021 Capital Improvement Program to Appropriate Funding to Fiscal Year 2017 for the Project

- e. Initiating Resolution for Town Code Amendment for Payment Methods for Metered Parking in Town

RESOLUTION 2016-118

Initiating an Amendment to the Town Code to Account for Automated Payment Options at Town Parking Meters

- f. Fee Waiver for the 250th Anniversary of The Old Stone Church Site

MOTION 2016-020

I move that Council approve a waiver of fees associated with the Police Department staffing as well as the event application fee for the 250th Anniversary Celebration of The Old Stone Church Site event held September 10, 2016

The Consent Agenda was approved by the following vote:

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

Nay: None

Vote: 7-0

10. PUBLIC HEARINGS

- a. Amending TLZM 2016-0002 and TLSE 2016-0002 Johnson Mini-Warehouse

The public hearing was opened at 9:00 p.m.

Brian Boucher gave a brief presentation on the two related items.

Key Points:

- Proffer amendment that amends the Village at Leesburg proffers.

- Special Exception would allow a mini-warehouse use on Landbay D.
- Proffer amendment seeks to amend the restricted uses to allow the mini-warehouse and a commuter parking lot.
- A portion of Landbay D is limited by easements so building on it would be problematic.
- Staff recommends approval.
- No cash contributions are needed or proffered.
- Planning Commission recommended approval 5-0-2.
- All use standards and conditions are met for the special exception application.
- Requested modifications are appropriate.

Council Comments/Questions:

- Dunn: Confirmed that there will be no vehicles, boats, or trailers stored outside the building. Further, he suggested a slight mansard roof to give the building more character.
- Hammler: Questioned whether the draft resolution includes the architecture aligning with the Village at Leesburg.
Boucher: Stated that it is not specifically stated in the motion.
- Fox: Questioned why these two Landbays are specified in the application.
Boucher: Stated that both Landbays D and E are in the I-1 and have the ten use proffer limitation.
- Martinez: Stated that he is excited that a use for the area under the powerlines is possible.

Molly Novotny, Urban Planner with Cooley Goddard, stated that this application literally adds two words to the proffers as the goal was to keep the proffers as clean as possible.

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

ORDINANCE 2016-O-020

Approving Application TLZM 2016-0002, Village at Leesburg Land Bays “D” and “E” to Amend the Approved Proffers for the Site to Allow a Mini-Warehouse Use and a Commuter Parking Lot Use

The motion was approved by the following vote:

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

Nay: None

Vote: 7-0

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

RESOLUTION 2016-119

Approving Special Exception TLSE 2016-0002, Johnson Mini-Warehouse for a Mini-Warehouse on 2.37 Acres in Village at Leesburg Land Bay "D" Fronting on Golf Course Road

Council Member Comments:

- Hammler: Stated the BAR will be looking at this on Monday, but her feeling is that the architecture should be consistent with the Village at Leesburg.

The motion was approved by the following vote:

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

Nay: None

Vote: 7-0

b. Sale of Surplus Properties to St. John Properties

The public hearing was opened at 9:34 p.m.

Barbara Notar introduced Keith Wilson, Land Acquisition Manager, to the Council.

Keith Wilson gave a presentation on the sale of real property to the abutting landowner.

Key Points:

- The town acquired the 50 square foot property in 1983 for use as a pump station.
- The acquisition also included a screening easement and limited use area around the pump station lot measuring 75 foot distance from each side and an ingress/egress easement to the lot from Sycolin Road.
- The sanitary sewer pump station constructed on the lot was known as airport pump station.
- Completion of the first phase of the Lower Sycolin Creek Sanitary Sewer Conveyance System in 2013 eliminated the need for the airport pump station.
- The pump station was removed and the area regraded and reseeded.
- The contract purchaser for the surrounding property, St. John Properties, has submitted a request for the purchase of the lot from the town.
- The lot and ingress/egress easements are no longer needed as a pump station and the small size and isolated location make it unusable for other purposes.
- Staff recommends that the property be declared surplus and authorize conveyance to the abutting landowner.

Council Comments/Questions:

- Fox: Questioned whether the current owner is the owner from which the property was originally purchased.
Wilson: Stated that the property has changed hands several times over the ensuing years.
- Hammler: Questioned whether a super majority is needed for sale of this land.
Notar: Stated that super majorities are only needed for parkland or water front land; therefore, only a majority is needed.
- Dunn: Questioned whether there are any other possible uses for the property.
Wilson: Noted that the ingress/egress easements are narrow and the site is small and isolated from the main road.

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

RESOLUTION 2016-120

Authorizing the Sale and Conveyance of Real Property to the Abutting Owner

Council Comments:

- Hammler: Stated the benefits of approval – releasing the town of maintenance costs and responsibilities for the lot, returns the property back to the tax rolls, allows for the possible commercial development of the abutting property, provides potential revenue from the sale of the property, and reduces liability exposure.

The motion was approved by the following vote:

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

Nay: None

Vote: 7-0

11. RESOLUTIONS AND MOTIONS

- a. No U-Turn at Battlefield Parkway and Fieldstone Drive, N.E.

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

MOTION 2016-021

I move that the Town Council direct staff to install a “no U-Turn from 3-6:30 p.m.” sign on westbound Battlefield Parkway at Fieldstone Drive, NE and that the Town Council request the Standing Residential Traffic Committee (SRTC) to study the area regarding cut through traffic on Battlefield Parkway and Fieldstone Drive, NE, and report back to the Town Council in three months.

Council Member Comments:

- Dunn: Noted that the other measures instituted by Council have worked well causing people to take other routes.
- Gemmill: Stated he would prefer a time limit and a report back on how it is working.
- Burk: Questioned whether this will go to the SRTC to study the area.
- Dunn: Stated his understanding is the study by the SRTC will occur after the sign is installed.
- Hammler: Noted that traffic is consistently blocked at this intersection. She questioned what enforcement will cost the town.
Dentler: Noted that the police department provides enforcement but cannot be there all the time.
- Fox: Stated she sees the wisdom in having the no U-Turn sign in place; however, she expressed concern that drivers will turn into Fieldstone. She stated the SRTC study is a good suggestion.
Grow: Stated that staff will be monitoring to see if traffic goes into the subdivisions or going down to the next possible place to make a U-turn and report back to Council in three to four months.

Council Member Fox offered a friendly amendment to put a time limit for study of three months on a report back to Council. The amendment was not accepted as friendly.

Council Member Fox offered an amendment to put a time limit for study of three months on a report back to Council. The motion to amend was seconded by Council Member Hammler.

Council Comments:

- Hammler: Questioned if the Council could put up signage to keep drivers from going into the subdivisions to make U-turns.
Grow: Stated that it is staff's feeling that making those turns would take drivers longer and thus not be a popular option.
- Dunn: Noted that this is about compliance, not enforcement.

The motion to amend was approved by the following vote:

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

Nay: Martinez

Vote: 6-1

Council Member Martinez offered a friendly amendment to put a time limit on the no U-turn movement of 3 – 6:30 p.m. The motion was accepted as friendly.

Council Comments:

- Dunn: Stated that the study should look at whether a no U-turn will be needed as Plaza Street as well.

The main motion was approved by the following vote:

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

Nay: None

Vote: 7-0

12. ORDINANCES

a. None.

13. UNFINISHED BUSINESS

a. None.

14. NEW BUSINESS

a. None.

15. COUNCIL COMMENTS

Council Member Fox: Had no comments.

Council Member Hammler: Disclosed a meeting with Peter Kalaris. She stated she attended the VML Executive Committee Meeting on August 12-13. She mentioned that she has a neighbor on Whitney Place who has converted their home into an AirBnB and the Homeowner's Association is looking at this. She stated the General Assembly is looking at this as well. She stated it causes a great deal of parking aggravation in residential neighborhoods. She thanked Town Staff for the Annual Dog Swim at Symington Park. She commended the Mayor for his remarks at the September 11 Observance.

Council Member Martinez: Stated he is proud of his grandson, who joined the Marines and is currently in bootcamp.

Vice Mayor Burk: Had no comments.

Council Member Gemmill: Disclosed telephone calls from Hobie Mitchel on August 8, August 9 and September 13.

Council Member Dunn: Had no comments.

16. MAYOR'S COMMENTS

Mayor Butler disclosed a telephone call from Hobie Mitchell on August 20, the day after he submitted new proffers to Town Staff. He stated the 9-11 ride was great. He stated he attended both the India and Pakistan Independence Festivals. He stated Loudoun Live this past weekend was wonderful. He stated that Town Staff may need to re-look at the microphones.

17. MANAGER'S COMMENTS

Mr. Dentler had no comments.

18. CLOSED SESSION

None.

19. ADJOURNMENT

On a motion by Council Member Dunn, seconded by Council Member Fox, the meeting was adjourned at 10:06 p.m.

David S. Butler, Mayor
Town of Leesburg

ATTEST:

Clerk of Council
2016_tmin0913