Town Manager
Robert W. Lohr, Jr.

Assistant Town Manager
Daniel C. Davis

221 S. Nursery Avenue
Purcellville, VA 20132
(540) 338-7421
www.purcellvilleva.gov

Town of Purcellville Virginia

Town Attorney
Sally G. Hankins

Chief of Police
Cynthia A. McAlister

Department Directors
Elizabeth Krens, Finance
Alex Vanegas, Public Works
Patrick Sullivan, Community Development
Hooper McCann, Administration

DATE: **January 27, 2016**

TO: **Purcellville Town Council**

FROM: **Diana Hays, Town Clerk**

SUBJECT: **Notice of Special Meeting**

This is to notify you that, in accordance with Code of Virginia §15.2-1418, the Mayor has called a Special Meeting for February 2, 2016, at 7:00pm, in the Council Chambers at Town Hall, located at 221 S. Nursery Avenue, Purcellville, VA.

The topics of discussion at the Special Meeting are those items on the agenda for the January 26, 2016 Council Work Session, which was canceled due to inclement weather. If all Council members are present, items may be *discussed* that are not on the attached agenda; however, even if all members are present, no *action* may be taken at a Special Meeting concerning an item that is not on the attached agenda.

A copy of the agenda is attached.

AGENDA
PURCELLVILLE TOWN COUNCIL SPECIAL MEETING
FEBRUARY 2, 2016, 7:00 PM
(rescheduled from January 26, 2016 due to snow emergency)
TOWN HALL COUNCIL CHAMBERS

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1. **CALL TO ORDER OF REGULAR MEETING** (Mayor Fraser)

2. **PLEDGE OF ALLEGIANCE**

3. **INVOCATION** (Mayor Fraser)

4. **AGENDA AMENDMENTS/APPROVAL** (Town Council and Staff)

5. **PROCLAMATIONS / RECOGNITIONS** (Mayor Fraser)

    a. None

6. **PRESENTATIONS**

    a. None

7. **PUBLIC HEARINGS**

    a. None

8. **CITIZEN/BUSINESS COMMENTS** (Mayor Fraser)
(*All citizens who wish to speak will be given an opportunity and limits will be imposed on all speakers. All speakers should sign up prior to speaking and Town residents will be given the first opportunity to speak.*)

9. **MAYOR AND COUNCIL COMMENTS**

10. **DISCUSSION AND INFORMATIONAL ITEMS**

    a. Public Safety Reports

        i. Purcellville Volunteer Rescue Squad (Aaron Kahn, President)

        ii. Purcellville Police Department (Lt. Joe Schroeck/Chief Cindy McAlister) (pgs. 3-6)

        iii. Purcellville Volunteer Fire Company (Brad Quin, President) (pgs. 7-9)

iv. Purcellville Citizens Support Team (James Taylor, President/Dawn Mabe, Vice President) (pg. 11)

b. Public Works Report (A. Vanegas) (pgs. 13-16)

c. Personnel Update (R. Lohr) (pgs. 17-18)

d. 2010 Personal Property Tax No Longer Enforceable (C. LeMarr) (pgs. 19-22)

e. 2015 Annual Red Flag Rule Report (C. LeMarr) (pg. 23)

f. Operational Audit Status (Town Council) (pgs. 25-27)

g. Environmental Sustainability and Tree and Beautification Committee (Mayor Fraser)

h. Adams Mill Stormwater Easement (P. Sullivan) (pgs. 29-33)

11. ACTION ITEMS

a. Vacancy on Town Council; Petition for Writ of Election & Interim Appointment* (S. Hankins) (pgs. 35-41) (Motion pg. 37)

b. 12th Street Improvements: Engineering Study Results* (Don Rissmeyer, AMT) (pgs. 43-58) (Motion pgs. 44-45)

c. Main Street and Maple Avenue Intersection Improvements* (Geoff Giffin and Drew Wolford, Kimley Horn) (pgs. 59-61) (Motion pgs. 60-61)

d. Bulk Water* (A. Vanegas) (pgs. 63-66) (Motion pgs. 65-66)

12. DISCUSSION OF ITEMS PROPOSED FOR FUTURE PRESENTATIONS / RECOGNITION

a. None

13. APPROVAL OF MINUTES

a. January 12, 2016 Town Council Regular Meeting (pgs. 67-88)

14. ADJOURNMENT

*****Roll Call Votes

IF YOU REQUIRE ANY TYPE OF REASONABLE ACCOMMODATION AS A RESULT OF PHYSICAL, SENSORY OR MENTAL DISABILITY IN ORDER TO PARTICIPATE IN THIS MEETING, PLEASE CONTACT DIANA HAYS, TOWN CLERK, AT 540-338-7421. THREE DAYS NOTICE IS REQUESTED.

USE OF ELECTRONIC DEVICES DURING MEETINGS

For the comfort and consideration of others, all cellular phones should be turned off or silenced and not used in the Council Chambers. This is requested due to the potential for interference with our recording devices and the transmittal of our hearing impaired broadcast, when in use.

Town of Purcellville Virginia

STAFF REPORT
INFORMATION ITEM

Item # 10.a.ii.

SUBJECT: Purcellville Police Dept. Monthly Report

DATE OF MEETING: January 8, 2016

STAFF CONTACTS: Chief Cindy McAlister

BACKGROUND:

The police department crime report and calls for service is provided to Town Council monthly as an informational item.

ATTACHMENT(S):

1. Report for December 2015

TO: **Town Council**

FROM: **Chief Cynthia McAlister**

SUBJECT: **Police Department Crime Report & Calls for Service**

DATE: **December 8, 2015**

FILE: **Monthly Report**

The Police Department activity report for the month of December 2015 for your review is as follows:

Criminal Offenses	# of Offenses	Closed By Arrest	Other Closure	Active	Inactive
Aggravate Assault	1	1			
Simple Assault	4	4			
Intimidation	1	1			
Theft From Motor Vehicle	1				1
All Other Larceny	3		1	1	1
Impersonation	1		1		
Destruction/Damage/Vandalism of Property	12		1	1	10
Drug/Narcotic Violation	1	1			
Drug Equipment Violations	2	1		1	
Curfew/Loitering/Vagrancy	1				1
Driving Under the Influence	6	6			
Drunkenness	2	2			
Family Offenses, Non violent	5		4		1
Liquor Law Violations	3	2		1	
Trespass of Real Property	2		1		1
TOTAL	44	18	8	3	15
**All Other Offenses	36				

*****All Other Offenses could include injured deer put down. Animal complaint & civil disputes, etc…**

Traffic Violations Charged or Issued	#
Driving Under the Influence	6
Drinking While Operating A Motor Vehicle	2
Refusals of Test	1
Driving After Forfeiture of License	1
Defective/Unsafe Equipment	3
Lights-Improper Rear Lamp	1
Lights/Improper Stop Lamp	1
Light Law-Time Dis Factor	2
Fail To Carry Reg./OP License	3
Sign on Windshield	1
Expired Rejection Sticker	3
Driving W/O License	1
Expired Registration	2
Tags-Imp. Fasten/Illegible	1
Following Too Closely	2
Disregard Signal By LE Officer to Stop	1
Fail To Yield	2
Fail To Obey Stop/Yield Sign	11
Fail To Yield Private Drive	1
Highway Sign –Fail To Obey	5
Fail To Signal Turn	1
Reckless Driving – General	1
Reckless-20 MPH Over Limit	**1**
Speeding- 25 MPH Zone	**9**
Speeding 35 MPH Zone	1
TOTAL TRAFFIC SUMMONS/ENFORCEMENT	**64**

Specific Traffic Summons(included in total traffic summons/enforcement)	#
PURCELLVILLE RESIDENT SUMMONS	19
NON-RESIDENT SUMMONS	37

Non-Traffic Related Summons	#
Possession of Controlled Substances	1
Possession of Marujuana	1
Public Swearing or Intoxication	4
Assault and Battery	1

TOTAL NON-TRAFFIC RELATED SUMMONS **7**

Destruction/Damage/Vandalism of Property

12/5 – 600 block Wintergreen – String of Christmas Lights cut
12/6 – 600 block Wintergreen – String of Christmas Lights cut
12/7 – 600 block Wintergreen – String of Christmas Lights out
12/8 – 100 block Bailey Lane – glass window pane broken with a rock
12/16 – 600 block Old Dominion – Dominion Power box spray painted with graffiti12/11 – 600 block East G Street – Front window of residence egged
12/12 – 900 block Harvest View Court – String of Christmas Lights Cut
12/14 – 100 block Amalfi Court – Christmas Lights Cut
12/14 – 19000 block Lovella Country Court – Damage to Courts of Saint Francis welcome sign
12/21 – 200 block Nursery – County vehicle left inside locked gate @ fireman's field. When employee returned to truck he found unknown suspects(s) had jumped the fence and sprayed fire extinguisher into bed of truck.
12/20 – 600 block Wintergreen – String of Christmas Lights Cut
12/23 – 500 block Gentlewood – Resident states front of his home was egged

TRAINING

Sgt Kelly, Officer McGann, CPL Kakol and Sgt Wagner attended Radar/Laser Recert @ LCSO
MPO Elassal attended Security Awareness Training through MOAT (Managed.Ongoing.Awareness.Tools)

PURCELLVILLE VOLUNTEER FIRE COMPANY

ADMINISTRATIVE REPORT TO THE PURCELLVILLE TOWN COUNCIL

The contents of this report are intended to help inform the Purcellville Town Council of the administrative activities of the Purcellville Volunteer Fire Company in service to the community. Operational data (fire calls, action reports) are excluded and are part of a more formal operational report provided by the Chief of the Department.

Administration

- The Company conducted its annual nominations and election meetings in November and December respectively. Both and administrative and operational leadership positions are open for eligible members to fun for those offices. The offices open this year were chief, one captain, vice-president and one open Board position. Chief Bob Dryden was returned to office as was Captain Buddy Colby. Incumbent vice-president Chris Kermode was re-elected and Alex Bennett was elected to a two-year term on the Board of Directors. All incumbent and new officers will take the oath of office at the Annual Installation Banquet in the new year.

- Through the end of December and the annual recruiting year 27 new members were added to the company roster: 26 operational and one associate. This is the highest number in four years despite increasing difficulty recruiting volunteers willing to a make the commitment to increase training demands and time commitments.

- Membership losses among new recruits were reduced to four versus eight of the previous year.

- The company lost an additional three trained firefighter to full-time County employment.

- All members of the company successfully complete two new on-line training requirements promulgated by the County. One focused on disease prevention the other on required compliance and understanding of HIPPA rules and regulations.

- The Company's annual mail solicitation fund drive has to date generated approximately $27,000 short of our goal of $32,000. Such has been the experience of most volunteer companies in recent years with respect to direct mail solicitation. As such we rely on our annual Christmas Tree Sales fund raiser which beings immediately after Thanksgiving to bolster direct community financial support. We appreciate the support of those in our community (and from the two Town Council members) who have contributed as fund raising is still a critical component of our income stream.

- The aforementioned Christmas Tree sale was successfully completed on December 19. Sales opened on November 27. All 850 trees in the initial order were sold and an additional 8 trees purchased locally to accommodate sold out sizes were also sold. The Company is most grateful to the community that supports this annual fund raising effort.

- For those who are following progress with the acquisition of our new tower ladder truck, it was delivered in mid-December and has been undergoing equipment installation in anticipation of its final inspection and certification for service. In the meantime all driver/operators and technicians (both volunteer and career) have attended manufacturer provided training on its operational capabilities. It is anticipated that the new apparatus will be in full service by the time this report is released.

Community Outreach and Public Relations

- The company participated in the annual Purcellville Christmas Parade with its apparatus on December 12, 2015.

- The annual Santa Ride occurred on Saturday, December 19 with two new participants. In addition to Santa himself visiting all the neighborhoods in Purcellville, the Grinch made his first appearance outside Whoville by joining the ride. Santa rode on the brand new Tower Ladder as the company's honored guest for its first appearance in public.

- Wendy Sellers and her family has made a successful transition to leading the effort to provide meals for our duty crew once a month. . This is a very personal undertaking for Wendy, as her home was devastated by fire last February. Many thanks to the Purcellville Gazette for allowing us to re-post the article from their 2 Oct, 2015 edition, page 7.

- The company once again hosted the bi-monthly St. Francis De Sales blood drive at the station on November 22.

- The company's day shift held the second annual food drive at the station on November 21 and collected over 50 pounds of canned and nonperishable donation which we provide to the Tree of Life ministry.

Key Fire Service Facts

35 feet - the total distance it takes to stop the new tower ladder travelling at 45
40 minutes – the 'standard' amount of time the air will last on a firefighting breathing apparatus cost of
50 – the average number of firefighter deaths in the county due to heart attacks during or after incidents or training
3,000 gallons – the water capacity of the Company's tanker apparatus
$738,238 – the total amount of funding donated to all volunteer companies in Loudoun by incorporated towns versus total expenses of $12,806,000

Respectfully Submitted

Bradley J. Quin
President/Membership Chair

November/December 2015

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STAFF REPORT

PURCELLVILLE POLICE CITIZENS SUPPORT TEAM

SUBJECT: Purcellville Police Citizen Support Team Agenda Item: 8.a.iv.

DATE OF MEETING: January 26, 2016

SUMMARY AND RECOMMENDATIONS:

The following is a list of events in which the support team assisted since the last report of October 27, 2015:

1. Hallowing Block Party on 21st Street.

2. Monthly meeting on November 11th.

December was a busy month for the team with the following:

1. CPR recertification on the 1st.

2. Santa Cop on December 5th where police officers from around the area met with less fortunate children at Wegmans and Target in Sterling and had breakfast then paired up with children to take them shopping. The support team also helped out organizing books, coats, scarfs and hats and distributing to children as they completed their shopping.

3. Christmas Parade on December 12th. The support team helped out with traffic control for the parade.

4. Two members of the support team along with the spouse of another support team member went to Twin Oaks and helped wrap hundreds of gifts and bag up hats, gloves, scarves for distribution to children by Santa at the apartment complexes on 16th street.

5. The evening of December 20th found several members of the support team assisting Santa in distributing gifts, hats, scarves, gloves and books to children at the 16th street apartment complexes.

6. December 23rd, various members of the support team as well as other organizations, distributed both food baskets as well as toiletries and cookies to 30 needy families in the Purcellville area. Despite the rain that afternoon, a good time was had by all who participated.

   The Purcellville Police Citizen Support Team looks forward to helping out both the Police Department and the community in the upcoming events for 2016.

President – Dawn Mabe

Vice-President – James Taylor

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STAFF REPORT
INFORMATIONAL ITEM

Item # 10b

SUBJECT: **Public Work Monthly Operations Report**

DATE OF MEETING: January 26, 2016

STAFF CONTACT: Alex Vanegas, Director, Public Works

SUMMARY and RECOMMENDATIONS:

Attached for your review are the Monthly Operations Reports for the Street & Utility Maintenance, Water Reclamation and Water Treatment divisions of the Public Works Department. The enclosed reports are for the month of December 2015. Should you have any questions or desire any further clarification please let us know.

ATTACHMENT(S):

1. Street & Utility Maintenance, Water Reclamation and Water Production Monthly Operations Reports.

MAINTENANCE DEPARTMENT
MONTHLY OPERATIONS REPORT
FOR THE MONTH OF: DECEMBER 2015
PREPARED:JANUARY 2016

MEASURE	MONTH	UNITS	FY YTD	UNITS
WORK ORDERS (W.O.) PROCESSED	106	#	758	#
STAFF HOURS REQUIRED FOR W.O.	401.25	HRS.	3051.75	HRS.
NON-CORE DUTIES HOURS	0	HRS.	21	HRS.
CD. MAN HOURS REQUIRED FOR WO	401.25	HRS.	3030.75	HRS.
PM FIRE HYDRANTS	0	#	0	#
EMERGENCY FIRE HYDRANT REPAIR	0	#	0	#
PM VALVE EXERCISED	0	#	0	#
SEWER LINE CLEANED	2,627	L. FT.	6,022	L. FT.
CCTV SEWER LINE	1,308	L. FT.	7,123	L. FT.
# OF WATER BREAKS	0	#	2	#
# OF SEWER BACKUPS	0	#	7	#
# OF CLEANOUTS INSTALLED	1	#	2	#
# OF MIS UTILITY TICKETS	80		527	#
# OF METERS READ	15		146	#
# OF METERS SHUT OFF	3		39	#
# OF METERS TURNED ON	1		30	#
# OF REPLACED METERS	0		2	#
# OF REPLACED REGISTERS	0		26	#
# OF NEW ACC. METER INSTALLS	3		12	#
# OF LEAK CHECKS	6		37	#
# OF REPLACED MIUs (Radios)	8		63	#
BULK WATER SALES	0	Gallons	772.2K	Gallons
CUSTOMER COMPLAINTS	1	#	42	#
WATER COMPLAINTS REC'D	0	#	4	#
WATER COMPLAINTS RESOLVED	100	%	100	%
WASTEWATER COMPLAINTS REC'D	0	#	0	#
WASTEWATER COMPLIANTS RES'D	100	%	100	%

* Tracking for FY Started in August 2009

MAINTENANCE DEPARTMENT
MONTHLY OPERATIONS REPORT
FOR THE MONTH OF: DECEMBER 2014
PREPARED: JANUARY 2015

MEASURE	MONTH	UNITS	FY YTD	UNITS
WORK ORDERS (W.O.) PROCESSED	120	#	865	#
STAFF HOURS REQUIRED FOR W.O.	240.85	HRS.	2487.85	HRS.
NON-CORE DUTIES HOURS	11	HRS.	26.75	HRS.
CD. MAN HOURS REQUIRED FOR WO	229.85	HRS.	2461.1	HRS.
PM FIRE HYDRANTS	57	#	160	#
EMERGENCY FIRE HYDRANT REPAIR	0	#	0	#
PM VALVE EXERCISED	0	#	0	#
CCTV SEWER LINE	450	L. FT.	9693	L. FT.
# OF WATER BREAKS	2	#	2	#
# OF SEWER BACKUPS	1	#	3	#
# OF CLEANOUTS INSTALLED	0	#	0	#
# OF MIS UTILITY TICKETS	71	#	529	#
# OF METERS READ	20	#	146	#
# OF METERS SHUT OFF	2	#	37	#
# OF METERS TURNED ON	0	#	24	#
# OF REPLACED METERS	0	#	6	#
# OF REPLACED REGISTERS	13	#	61	#
# OF NEW ACC. METER INSTALLS	7	#	18	#
# OF LEAK CHECKS	8	#	45	#
# OF REPLACED MIUs (Radios)	23	#	95	#
CUSTOMER COMPLAINTS	9	#	50	#
WATER COMPLAINTS REC'D	1	#	4	#
WATER COMPLAINTS RESOLVED	100	%	100	%
WASTEWATER COMPLAINTS REC'D	0	#	0	#
WASTEWATER COMPLIANTS RES'D	100	%	100	%

* Tracking for FY Started in August 2009

WATER RECLAMATION FACILITY
MONTHLY OPERATIONS REPORT
FOR THE MONTH OF: DECEMBER 2015
PREPARED: JANUARY 2016

MEASURE	MONTH		AVG./DAY	
INFLUENT FLOW	20,375,700	GAL	657,300	GAL
EFFLUENT FLOW	22,253,800	GAL	717,900	GAL
MAXIMUM DAY INFLUENT	1,019,300	GAL		
FERRIC CHLORIDE	1,579	GAL	51	GAL
CITRIC ACID	79	GAL	40	GAL
SODIUM HYPOCHLORITE	148	GAL	19	GAL
METHANOL	1,088	GAL	35	GAL
RAIN	5.20	IN.	0.17	IN.

MONTHLY TOTAL NUTRIENT DISCHARGE

TOTAL NITROGEN	259	LBS.
TOTAL NITROGEN YTD	2,623	LBS.
AVG. DAILY NITROGEN	1.32	MG/L
VPDES NITROGEN LIMIT	4.0	MG/L
TOTAL PHOSPHORUS	20	LBS.
TOTAL PHOSPHORUS YTD	285	LBS.
AVG. PHOSPHORUS DAILY	0.10	MG/L
VPDES PHOSPHORUS LIMIT	0.3	MG/L

NIA No information available at this time.

WATER RECLAMATION FACILITY
MONTHLY OPERATIONS REPORT
FOR THE MONTH OF: DECEMBER 2014
PREPARED: JANUARY 2015

MEASURE	MONTH		AVG./DAY	
INFLUENT FLOW	17,922,000	GAL	578,100	GAL
EFFLUENT FLOW	18,163,500	GAL	585,900	GAL
MAXIMUM DAY INFLUENT	884,400	GAL		
FERRIC CHLORIDE	1,414	GAL	46	GAL
CITRIC ACID	243	GAL	61	GAL
SODIUM HYPOCHLORITE	185	GAL	31	GAL
METHENOL	883	GAL	28	GAL
RAIN	4.15	IN.	0.13	IN.

MONTHLY TOTAL NUTRIENT DISCHARGE

TOTAL NITROGEN	134	LBS.
TOTAL NITROGEN YTD	2,140	LBS.
AVG. DAILY NITROGEN	0.85	MG/L
VPDES NITROGEN LIMIT	4.0	MG/L
TOTAL PHOSPHORUS	25	LBS.
TOTAL PHOSPHORUS YTD	308	LBS.
AVG. PHOSPHORUS DAILY	0.16	MG/L
VPDES PHOSPHORUS LIMIT	0.3	MG/L

NIA No information available at this time.

WATER TREATMENT PLANT
MONTHLY OPERATIONS REPORT
FOR THE MONTH OF: DECEMBER 2015
PREPARED: JANUARY 2016

WATER	MONTH	UNITS	AVG./DAY	UNITS
ALUMINUM SULFATE	1,313.6	lbs.	42.4	lbs.
POLYMER				
METAPHOSPHATE	48.5	lbs.	1.6	lbs.
SODA ASH	1,563.0	lbs.	50.4	lbs.
FLUORIDE (WTP & WELLS)	152.0	lbs.	4.9	lbs.
POTASSIUM PERMANGANATE	33.7	lbs.	1.1	lbs.
CHLORINE (HYPOCHLORITE @ WTP)	186.3	lbs.	6.0	lbs.
CHLORINE RESIDUAL (TANK)			1.5	mg/L
AVERAGE PH (FINISHED)			7.4	SU
BULK WATER SALES	0	gals.	0.0	gals.
INLINE METER, COOPER SPRINGS	1,763,793	gals.	56,896.6	gals.
JEFFERIES WELL	47,700	gals.	1,538.7	gals.
WATER PLANT GALLONS	6,573,200	gals.	212,038.7	gals.
MARSH WELL	1,806,500	gals.	58,274.2	gals.
MOUNTAIN VIEW WELL	694,900	gals.	22,416.1	gals.
MAIN STREET VILLAGES WELLS (MS-1 & VC)	3,113,300	gals.	100,429.0	gals.
CORNWELL #2 WELL	1,916,207	gals.	61,813.1	gals.
FORBES WELL	883,455	gals.	28,498.5	gals.
HIRST #2 WELL	0	gals.	0.0	gals.
TOTAL WATER FLOW	15,035,262	gals.	485,008.5	gals.

RESERVOIR LEVELS:	1-Dec-2015	31-Dec-2015
FRONT LAKE:	5.26'	5.40'
BACK LAKE	4.98'	5.20'

RAINFALL: 4.83"

WATER TREATMENT PLANT
MONTHLY OPERATIONS REPORT
FOR THE MONTH OF DECEMBER 2014
PREPARED: JANUARY 2015

WATER	MONTH	UNITS	AVG./DAY	UNITS
ALUMINUM SULFATE	1044.3	lbs.	33.7	lbs.
POLYMER				
METAPHOSPHATE	239.0	lbs.	7.7	lbs.
SODA ASH	1,044.1	lbs.	33.7	lbs.
FLUORIDE (WTP & WELLS)	203.7	lbs.	6.6	lbs.
POTASSIUM PERMANGANATE	19.4	lbs.	0.6	lbs.
CHLORINE (HYPOCHLORITE @ WTP)	163.3	lbs.	5.3	lbs.
CHLORINE RESIDUAL (TANK)			1.7	mg/L
AVERAGE PH (FINISHED)			7.5	SU
INLINE METER, COOPER SPRINGS	3,377,500	gals.	108,952	gals.
JEFFERIES WELL		gals.		gals.
WATER PLANT GALLONS	5,769,000	gals.	186,097	gals.
MARSH WELL	1,703,500	gals.	54,952	gals.
MOUNTAIN VIEW WELL	637,100	gals.	20,552	gals.
MAIN STREET VILLAGES WELLS (MS-1 & VC)	3,886,000	gals.	125,355	gals.
CORNWELL #2 WELL	1,685,869	gals.	54,383	gals.
FORBES WELL	1,070,685	gals.	34,538	gals.
HIRST #2 WELL	1,149,500	gals.	37,081	gals.
TOTAL WATER FLOW	19,279,154	gals.	621,908	gals.

RESERVOIR LEVELS:	1-Dec-2014	31-Dec-2014
FRONT LAKE:	5.0'	5.5'
BACK LAKE	5.1'	5.2'

RAINFALL: 3.38"

TOWN OF PURCELLVILLE			
Personnel Update -As of January 6, 2016			
Total Budgeted Positions:	80		
Total Filled Positions:	78		
Total Current Full-time EEs:	69		
Total Current Part-time EEs:	9		
Total Current Employees:	78		
Total Leave of Absence:	0		
Total Promotions:	0		
Total Transfers:	0		
Total Resign/Retire/Invol:	1	Aaron Crider WWTP	
Total Open Positions:	1		
New Hires	0		
OPEN POSITIONS			
ADMINISTRATION			
No openings			
FINANCE			
No openings			
COMMUNITY DEVELOPMENT			
No openings			
POLICE DEPARTMENT			
Position Title	Budget	Filled/Vacant	Status
Police Officer	Replace	Vacant	Recruiting
INFORMATION TECHNOLOGY			
No openings			
PARKS AND RECREATION			
No openings			
PUBLIC WORKS/ADMINISTRATION			
No openings			
PUBLIC WORKS/ENGINEERING			
No openings			
PUBLIC WORKS/MAINTENANCE			
No openings			

PUBLIC WORKS/WATER			
No openings			
PUBLIC WORKS/WASTE WATER			
No Openings			

STAFF REPORT
INFORMATION

Item #10d

SUBJECT: 2010 Personal Property Taxes No Longer Enforceable

DATE OF MEETING: January 26, 2016

STAFF CONTACTS: Connie LeMarr, Asst. Director of Finance
Elizabeth Krens, Director of Finance/Treasurer

SUMMARY and RECOMMENDATIONS:

Attached is a list of the 2010 outstanding personal property taxes no longer enforceable after December 31, 2015. Staff will write-off these accounts in accordance with Code of Virginia §58.1-3940. No action by Town Council required, informational only.

BACKGROUND:

According to the Code of Virginia §58.1-3940, collection of personal property taxes shall only be enforceable for five years following December 31 of the year for such taxes were assessed. As of December 31, 2015, the Town's outstanding 2010 personal property taxes were no longer collectible. The write-off amount for 2010 taxes is $3,301.91 resulting in a collection rate of 98.91% of the total tax levy.

Finance staff uses a number of tools to collect delinquent taxes. The DMV Stop program is one of the most effective tools for personal property collection. Staff occasionally uses a Treasurer lien to collect from amounts due from third parties (bank lien, wage lien, tenant rent lien, credit card, customer lien).

Pursuant to Code of Virginia §58.1-3921-3922, Finance staff provides Town Council an annual listing of delinquent real estate and personal property taxes as of June 30th. Additional information regarding collection tools and collection rates along with a delinquent account update is generally provided about ninety days post billing, usually September/October time frame.

2010 PERSONAL PROPERTY TAX WRITE OFF

ACCOUNT #	OWNER NAME	TAX AMOUNT
01250631	ALVAREZ BRUNO SALVADOR	$8.75
01250633	ALVAREZ BRUNO SALVADOR	$8.36
00405749	AMAN JANE M	$1.05
01277762	BISHOP ANGELA	$7.84
01145119	BOARDMAN ALYSSA MICHELLE	$64.05
01045040	BUTLER JOSHUA PAUL	$38.20
01112383	CAMPBELL CASSANDRA M	$23.15
01114174	COBOURN & CLAY BUILDING & DEVE	$18.20
00942079	COBOURN AND CLAY BUIL & DEV CO	$5.98
00914147	COBOURN AND CLAY BUILDING AND	$4.36
00962674	COBOURN AND CLAY BUILDING AND	$211.05
01129828	COFFMAN CHRISTOPHER LEE	$33.44
01243011	COOPER MICHAEL ANTHONY JR	$1.05
01236653	CREAMER LOUIS ADAM	$5.40
01034553	DELUCA MICHAEL MAX	$58.14
00959229	DORSEY TOMMY A	$19.68
01029391	DORSEY TOMMY A	$40.77
01120604	DULL COLLEEN K	$15.18
01069689	DWYER KATHRYN EVERHART GAULT	$40.13
01140232	DWYER KATHRYN EVERHART GAULT	$15.31
00806867	ECKENFELS THOMAS GABRIEL	$11.32
01299716	FARMER CANDICE IRENE	$45.41
01287438	FIRST FIDELITY LEASING GROUP I	$114.98
01197267	FRANKLIN SAMANTHA EMILY	$89.40
01024814	FREDERICKS SYLVIA MARIE	$24.44
01008596	FV TRANSPORTATION INC	$21.00
00805616	GARCIA ALVARO	$1.05
01023350	GEARHART MICHAEL CHARLES JR	$38.20
00853498	GOMEZ CONTRERAS ALCIDES DE JES	$8.49
01158738	GRIMES WILLIAM LEE	$20.71
00962804	GUZZETTA MARTIN JOSEPH	$46.56
01165746	HARPER DIRK D	$61.87
01182787	HARPER DIRK D	$55.57
01209852	HARPER DIRK D	$78.20
01224808	HEBER SARAH JEAN	$11.71
01122762	HELM MEGAN LEE	$12.74
01278052	HENDRICKS CALVIN D	$22.05
00975868	HENDRICKS KEVIN ANTWANE	$7.98
01278288	HOANG PHUONG	$64.83
01254345	HOLLAND JOHN BERKLEY	$8.49
01041980	HOLMES DENNISE BURGESS	$10.54
00944598	HUNT GEOFFREY CHUN HAI	$34.60
01178620	HUTSON REBECCA LYNN	$38.07
01182788	JACKSON ROBERT AZEEM JR	$50.81

2010 PERSONAL PROPERTY TAX WRITE OFF

ACCOUNT #	OWNER NAME	TAX AMOUNT
01046874	JEWELL WILLIAM CLAY JR	$19.42
01311208	JOHNSON MICHAEL ROBERT	$12.09
00644049	JOHNSON PEGGY ANN	$6.82
01303565	JOHNSON PEGGY ANN	$13.12
01159272	JUSTINIANO-SCHWENK KEVIN ROBER	$23.41
01023133	KAUDERER PETER	$5.27
00968097	KOERNER MICHAEL JAMES	$19.42
01159589	KURNIG AMUNDARAY REBECCA	$10.80
01163226	LEONARD WILLIAM G	$11.96
01302400	LUCK KAITLIN ELIZABETH	$37.17
01257003	MARTIN PATRICK THOMAS	$18.39
01080848	MAYS JON WHITNEY	$44.25
01187550	MCCLOUD AARON L	$21.61
00537755	MCGRANE KATHLEEN ANNE	$8.10
01106503	MENDOZA GEORGINA ALVARADO	$18.13
01181767	MEYER LAUREN JEAN	$12.09
01009287	MONTGOMERY SYLVIA OWENS	$22.00
01000950	NEELY DANIEL RAYMOND	$17.11
01238820	NICHOLSON KATHERINE LAVINA	$61.32
01306091	OGLETREE BERNARD A JR	$19.42
01306092	OGLETREE BERNARD A JR	$9.70
01306093	OGLETREE BERNARD A JR	$10.42
01252369	OWENS JENNIFER MICHELLE	$17.24
01201599	PALERMO JAMIE MARIE	$59.17
00757903	PERKINS BRENDA BOOKER	$16.85
01006455	PIERCE CURTIS LEE	$25.34
00989052	POLLARD SHARLICE TAYLOR	$20.83
01160698	PRO CUTTERS LAWN AND LANDSCAPE	$94.24
01181462	PRO CUTTERS LAWN AND LANDSCAPE	$93.19
01187305	PRO CUTTERS LAWN AND LANDSCAPE	$1.05
01236656	PRO CUTTERS LAWN AND LANDSCAPE	$100.01
00699214	R F A INC	$1.05
01213103	RAGASA KEITH FAUSTO BUNAO	$20.07
00769034	REYNOLDS SHAWN MICHAEL	$41.80
00787159	REYNOLDS SHAWN MICHAEL	$7.20
01086727	RICE TYLER JAMES	$6.95
01190236	ROBEY RONALD TRENT	$35.50
01268182	ROBEY RONALD TRENT	$19.16
01163246	ROGERS LESLIE SMITH	$10.42
01262847	ROSS MICHELE ELAINE	$7.72
01225431	RYAN JOANNE ELIZABETH	$8.36
01122777	SALEM IMAAD NASER	$40.39
01239685	SEARLES STEPHANIE LYNN	$9.90
01117702	SEAVEY COLETTE LOUISE	$52.99

2010 PERSONAL PROPERTY TAX WRITE OFF

ACCOUNT #	OWNER NAME	TAX AMOUNT
01253572	SERRANO MARIA DELCARMEN	$61.23
01037471	SIMMS HELEN C	$18.65
01201885	SIMPSON MARK A	$7.98
00741972	SIMPSON MARK ANTHONY	$103.95
00884644	SIMPSON MARK ANTHONY	$14.28
01148895	SIMPSON MARK ANTHONY	$17.85
01111152	SPARKS KEVIN	$9.39
01188806	SWEENEY CAROL FRANCES	$46.05
00897418	TAYLOR WILLIAM WALLACE JR	$29.59
01284286	TODD BARRETT DENISE	$59.04
01308453	TODD CARRIE ANN	$62.38
01246169	TURNER KRINK ELIZABETH	$20.33
01051585	VELADO-MEJIA ANDRES ALEXANDER	$38.71
01281221	VIEIRA ALESSANDRA	$13.89
01004557	WALLACE NICHOLAS ASHBY	$28.17
00947532	WARD WILLIAM EDWARD	$46.69
01106517	WARD WILLIAM EDWARD	$5.44
01252377	WARNER MELISSA R	$8.23
01293939	WELCH CHRISTOPHER GRAYSON	$15.69
01019100	WILLIAMS ANDREWS LLC	$3.56
01140260	WILLIAMS MYKA ALETHEA	$39.23
01245541	WILLIAMS RICHARD ALEXANDER	$20.83
01020456	WILLIAMS THOMAS	$11.96
01187300	WOOD MARK JAY	$8.23
	TOTAL WRITE OFF	**$ 3,301.91**

STAFF REPORT
INFORMATION

Item #10e

SUBJECT: 2015 Annual Red Flag Rule Report

DATE OF MEETING: January 26, 2016

STAFF CONTACTS: Stacy Werner, Utility Billing Technician
Connie LeMarr, Asst. Director of Finance

SUMMARY and RECOMMENDATIONS:
No action is required, informational only.

2015 Annual Analysis of Verification Measure

New Account Applications:	310
Existing Account Service Requests:	1720
Feedback of Policy:	Negative feedback on the inconvenience of having to present themselves to establish service. Recently added option to have copy of identification with application notarized for inaccessible applicants.
Suspicious Account Activity:	None

BACKGROUND:
In compliance with Part 681 of Title 16 of the code of Federal Regulations implementing Sections 114 of the Fair and Accurate Credit Transactions Act ("FACTA") of 2003, the Town established an Identity Theft Protection Program in May 2009. The program is designed to detect, prevent and mitigate identity theft in connection with the opening of a covered account or an existing account and to provide for continued administration of the Program. Oversight of this program is administered by the Town Manager and Treasurer. The program requires staff to prepare an annual report.

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STAFF REPORT
DISCUSSION ITEM

Item # 10f

SUBJECT: Operational Audit Discussion

DATE OF MEETING: January 26, 2016

STAFF CONTACTS: Robert W. Lohr, Jr., Town Manager

SUMMARY and RECOMMENDATIONS:

At the request of Mayor Fraser, the Town began looking at options to conduct an operational audit of the Town's services and programs. Council developed Strategic Initiatives at the first strategic planning session and identified this as one of the items they would like to pursue but did not go into specific details. Staff has recommended that a series of questions or priorities be established prior to the Town beginning this process since it is not fiscally or operationally prudent to try to do intensive audits of all departments in one year. As a result, staff has recommended that the Council identify one department or group each year to complete an additional audit and select a firm that has experience in those type of specialized departments to conduct the audit annually.

BACKGROUND:

Over the last year, discussions have continued as to the costs versus benefits to completing an additional operational audit above and beyond normal review and financial audits conducted by local governments. The Town currently conducts intensive financial audits each year that is dictated by federal, state and industry guidelines. These audits last for months and review all levels of financial and operational components. We are also subject to intensive inspections of our field operations by regulatory agencies such as DEQ, EPA, VDOH and VDOT. The Town also completed a significant credit rating review several years ago and a follow-up review last year by Fitch. These reviews looked at not only our financial position but the operations of our government at all levels. In addition, the Police Department is subject to annual inspections by the state and we voluntarily submitted our Department for state accreditation which involves an intensive review by peers on hundreds of operational standards.

Staff has recommended that if Town Council wants to move forward with this process that we have Town Council address the following questions and priorities:

1) Town Council needs to identify the department or group to review each year. This is critical because trying to do more than one department or group per year would cause significant interruption to our operations. As leaders, it has been suggested that Town Council volunteer to be the first group evaluated for efficiency and operational processes. So much in leadership, management and organizational success begins at the top and it would only make since. Especially in a small town like our community, the Mayor and Town Council have so much more of a role that clearly crosses over into operations and processes. Having our house in order at the top is usually the best starting point and it also sets a great example. I would then recommend in the next fiscal year (2017), we follow-up with Administration. This would set the positive tone that as leaders and policy makers we are willing to have our levels evaluated first. I also believe that by looking at the leadership first it will produce some significant suggestions for improvements at all levels.

2) Depending on which departments we are evaluating, different firms may provide better expertise. The operational expert in the water/wastewater treatment plant area may not be the most versed in police or finance operations. I have talked around the state and few communities go to this level but all agreed that one firm would not be able to do a thorough job that we would expect and hope for under this type of review.

3) The firm should not be brought in by the Mayor, a Town Council member or the Town Manager because that gives the perception of bias or favoritism. The firm should be procured by a team of staff and Town Council which can then select the best candidate for the chosen department. If the work is conducted for free or pro bono and procurement is not used, the firm should not be able to bid on future work that could be generated by their volunteer assessments. This is an ethical issue that sometimes is permitted in the private sector and federal government but is frowned upon and can be illegal in local government procurement. There has been too many times here in the last two decades where individual members of Town Council or a group of Town Council have accepted free or volunteer offers from individuals or companies to undertake tasks on items such as plant operations, websites and building operation evaluations only to have significant challenges or problems later when work or the impartiality of the group was challenged.

ISSUES:
The Council needs to determine the process and priorities of how we will proceed.

BUDGET IMPACT:
This will be determined by the potential cost of the audit and whether the firm(s) will be willing to complete the work pro bono or charge a reduced or regular market rate. Given the cost for previous audits and operational reviews, the Town can expect to see a budget ranging from $0 to $25,000 a year based on the level of detail and review that is applied to each organization/department. The money is not in the current budget so it will need to be added by a budget amendment.

MOTION(S):
To be determined by Council's discussion.

ATTACHMENTS:
None

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STAFF REPORT
INFORMATION ITEM

Item # 10h

SUBJECT: Adams Mill Stormwater Easement

DATE OF MEETING: January 26, 2016

STAFF CONTACTS: Patrick Sullivan, Alex Venegas, Rob Lohr, Sally Hankins, Dale Lehnig

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SUMMARY and RECOMMENDATIONS:

Access easements for Town infrastructure/utilities are an integral part of site plan review and land development. The ability to secure easements across private property for our sewer, water, and stormwater is critical to the future maintenance of such facilities. This agenda item asks the question what degree of review by the Town Council is appropriate, needed, or required for easements given to the Town as part of the site plan review process.

BACKGROUND:

This agenda item is a review of the easement process that is part of the site plan process. Easements are often required in order to insure that the Town has available access to its infrastructure facilities in order to maintain and repair them. The easement requests often occur during the review of a site plan. If the Town requires an easement to access its facilities then this usually is required before a site plan can be approved in order to guarantee that the property owner will grant an easement to the Town.

In this case we are discussing stormwater facilities on the Adams Mill property, which is located at 194 North 21st Street (behind Magnolia's), the review of which was initiated by the site plan review for Vineyard Square. When the location of the Town's facilities (in this case stormwater infrastructure) are moved, added, changed or vacated, a new plat is required to properly record everyone's rights. Practice is that the new or replacement plat that is part of a site plan is drawn up by the developer and is reviewed by Public Works, Community Development, and the Town Attorney. Once the attorney signs off on the plat and deed and the zoning administrator approves the plat and deed of easement, the Mayor

representing the Town then signs the deed as one of the parties to the easement. All parties to the easement will sign the deed. Once the deed and plat have been signed the deed and the plat are recorded at the County, the Town then has an easement onto that property to maintain its infrastructure.

The Adams Mill deed of easement is being done to facilitate future additions to the storm water infrastructure for this area of O Street. The reason this is changing is because the engineers have determined that the existing pipes on the Adams Mill property should be replaced. There is presently a 15" pipe that runs through the property and the engineers have determined that a 24 inch pipe is needed to properly remove stormwater from O Street and the Vineyard Square property. Since the old, smaller pipe will not be used, the engineers have recommended a different location for the new 24" pipe. The new location requires a new easement as it will be on private property and the Town will need the right to go on private property for any repairs and maintenance. All of this change will be occurring on private property but will have public infrastructure in the easement because it will carry stormwater from public property (O Street). The property owner is granting an easement to the Town.

What the property owner is doing is eliminating a jog in the existing system on the Adams Mill property (see attached map) so that future connections from the Chapman property will be available for outfall across Adams Mill and beyond into the Town's stormwater system. This easement would straighten out the existing easement and make for a straighter connection. It is being done to better capture existing stormwater in this O Street area. The developer will build the infrastructure and then turn it over to the Town. The Town will then own the infrastructure and be responsible for maintaining it. There is already an easement running through the property with infrastructure buried in it. This just changes the location of that infrastructure and the easement. Once the new infrastructure is in place the old easement will be vacated.

The attached maps helps visualize the process. The pink area on the attached map is the path of the new easement, the blue area is the piece that will eventually be vacated once the smaller pipe is taken out of service. The yellow line is the old easement.

Please remember, the property owner is giving the easement to the Town the so that the Town may have continuing access to the stormwater infrastructure that crosses the Adams Mill property. This configuration is preferred by the land owner.

Once the new easement is put in service the owner will request a vacation of the existing easement.

ISSUES:

1. Should all easements come before the Town Council at a regular meeting for approval or should action be delegated to the Mayor or the Town Manager, to sign the deed?
    a. Present practice is if we are to receive an easement as part of the site plan review process the review and acceptance is done administratively and then the deed is signed by the Mayor as one of the interested parties. Staff thinks this works well.
    b. If the Town grants an easement to another party it is reviewed and approved by an action of Town Council.
    c. All easement vacations must be reviewed and approved by Town Council.

Should we continue with our present practices or should there be changes? If you choose to change the practice and review all easements please understand that this will have a significant impact on time required for site plan review, staff work load and Council work load as there can be numerous easements on any given project.

BUDGET IMPACT:

N/A

MOTION(S):

N/A

ATTACHMENT(S):

1. Map of area/Proposed Plat

W&OD BIKE TRAIL

T-690

21st STREET

'O' Street East

Lot 2 – THE MILL
24,042 sq.ft.
0.5519 acres
Exclusive of Easements
11,499 sq.ft.
0.2640 acres
Access & Utility Easement
12,543 sq.ft.
0.2879 acres

LCTM # 35A1-((16))-4
MCPI # 488-37-3883
ADAMS MILL, L.C.
DB 1690, PG 1297 (06/18/99)
1.1146 AC = 48,551 SF
ZONE: M-1 LIMITED INDUSTRIAL
EXISTING MILL

LOT 1 – OFFICE BUILDING
22,817 sq.ft. 0.5238 acres
Exclusive of Easements
4,658 sq.ft. 0.1069 acres
Access & Utility Easement
18,161 sq.ft. 0.4169 acres

LCTM # 35A116-2
MCPI # 488-37-2789
PURCELLVILLE PRESERVATION ASSOCIATION
DB 1232 PG 572
.10 AC
ZONE: C-4 CBD CENTRAL BUSINESS DISTRICT
USE: EXEMPT

LCTM # 95-RR
MCPI # 033-39-8724
NORTHERN VIRGINIA REGIONAL PARK AUTHORITY
DB 485 PG 487
316.75 AC
ZONE TOWN
USE: STATE CORPORATION COMMISSION

LCTM # 35A116-3
MCPI # 488-37-2277
TOWN OF PURCELLVILLE
DB 1902, PG 1167
.70 AC = 30,343 Sq.Ft.
ZONE: C-4 CBD CENTRAL BUSINESS DISTRICT
USE: VACANT

LCTM # 35A116-3A
MCPI # 488-37-4568
LEWIS, ROBERT J. & JUDITH
DB 1093 PG 991
.020 AC = 995 Sq.Ft.
ZONE: C-4 CBD CENTRAL BUSINESS DISTRICT
USE: COMMERCIAL/INDUSTRIAL

LCTM # 35A1-12-3
MCPI # 488-37-3065
WALSH, GERALD L. & NANCY
DB 821 PG 553
.33 AC
ZONE: C-4 CBD
USE: COMMERCIAL/INDUSTRIAL

LCTM # 35A116-4A
MCPI # 488-37-4567
LEWIS, ROBERT J. & JUDITH
DB 1093 PG 991
.03 AC = 1321 Sq.Ft.
ZONE: C-4 CBD CENTRAL BUSINESS DISTRICT
USE: COMMERCIAL/INDUSTRIAL

LCTM # 35A1-2-20-23
MCPI # 488-37-5982
MILLER, MARK ALLEN
DB 858 PG 1983
.20 AC
ZONE: C-4 CBD CENTRAL BUSINESS DISTRICT
USE: COMMERCIAL/INDUSTRIAL

LCTM # 35A1-2-20-3
MCPI # 488-37-5267
NICHOLS, ROBERT M. & PATRICIA F.
DB 1354 PG 1865
.57 AC
ZONE: C-4 CBD CENTRAL BUSINESS DISTRICT
USE: COMMERCIAL/INDUSTRIAL

EASEMENT FOR ACCESS & UTILITIES (For benefit of Lots 1 & 2)

1692 Sq.Ft. (0.0388 Ac.) HEREBY DEDICATED FOR PUBLIC RIGHT-OF-WAY

NEW

OLD

ex.20' EASEMENT FOR INGRESS & EGRESS

(IN FEET)
1 inch = 20 ft.

TOTAL AREA
8,550 sq.ft.
.1146 acres
-Way Dedication
,692 sq.ft.
0388 acres
aining Area
,859 sq.ft.
0757 acres

1. No existing easements were noted in title research data provided.
2. All easements depicted are new and hereby created.

No.	Revisions	Date
1.	ORIGINAL	04/16/02
2.	1st SUBMITTAL	04/25/02
3.	2nd SUBMITTAL	06/18/02
4.	Responses to Town Attourney	09/03/02
5.	Eliminate Division of Office Building	09/20/02

Zicht ENGINEERING LIMITED
Professional Engineering, Planning & Land Surveying
306 Harrison Street, Suite 1-B, SE
Leesburg, Virginia 20175-3729
(703)777-4996 Fax (703)777-4996

COMMONWEALTH OF VIRGINIA
09-20-02
ERIC E. ZICHT
No. 1552
LAND SURVEYOR

ADAMS MILL, L.C.
Mark Charles Nelis, Manager
201 N. 23rd Street
Purcellville, Virginia 20132
(540) 338-5843 FAX 338-3702

MCPI # 488-37-3883
DB.1690,Pg.1297 (06/18/99)
LCTM # 34A1-((16))-4

PLAT OF SUBDIVISION
ADAMS MILL

TOWN OF PURCELLVILLE

NOTES

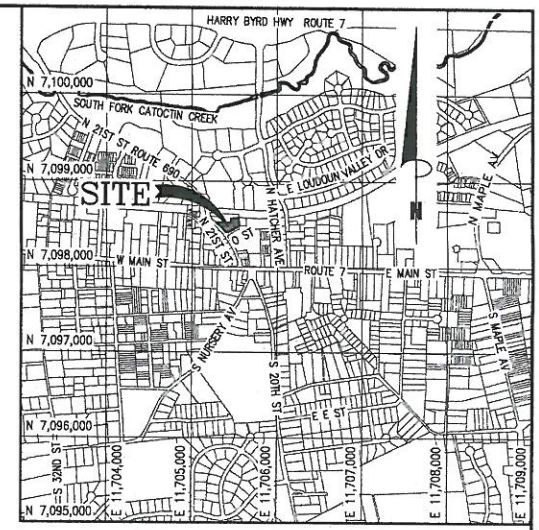
1. THE PROPERTY SHOWN HEREON IS LOCATED ON LOUDOUN COUNTY TAX ASSESSMENT PIN 488-37-4373 (TAX MAP NUMBER: /35A120/////1/) AND IS ZONED C-4 AND HISTORIC CORRIDOR OVERLAY DISTRICT PER THE ZONING ORDINANCE FOR THE TOWN OF PURCELLVILLE, VIRGINIA.
2. THE PROPERTY SHOWN HEREON IS NOW IN THE NAME OF ADAMS MILL, L.L.C. AS RECORDED IN DEED BOOK 1690 AT PAGE 1297 AMONG THE LAND RECORDS OF LOUDOUN COUNTY, VIRGINIA.

   ADAMS MILL, L.L.C.
   194 NORTH 21ST STREET
   PURCELLVILLE, VA 20132-3077
3. BOUNDARY INFORMATION SHOWN HEREON IS FROM A "PLAT OF SUBDIVISION" AS PREPARED BY ZICHT ENGINEERING LIMITED (REF. FILE: 0202), ENTITLED "PLAT OF SUBDIVISION, ADAMS MILL" DATED APRIL 16, 2002, LAST REVISED SEPTEMBER 20, 2002 AND RECORDED WITH DEED BOOK 2299, PAGE 1827 AMONG THE LAND RECORDS OF LOUDOUN COUNTY, VIRGINIA.
4. THE MERIDIAN SHOWN HEREON IS FROM A "BOUNDARY & TOPOGRAPHIC SURVEY" AS PREPARED BY WOLFORD LAND SURVEYING (REF. FILE: WLS 1413), ENTITLED "PROPERTIES OF CHAPMAN GROUP, LLC, PROPERTY OF BLUE RIDGE EAGLES AERIE 4368, PROPERTY OF CROSS CONNECTION, LLC" DATED AUGUST 15, 2006.
5. THE PROPERTY SHOWN HEREON LIE WITHIN ZONE "X" (UNSHADED), AREA DETERMINED TO BE OUTSIDE 500-YEAR FLOODPLAIN AS SHOWN ON FEMA FLOOD INSURANCE RATE MAP FOR LOUDOUN COUNTY, VIRGINIA, COMMUNITY-PANEL NUMBER 51107C0089D DATED JULY 5, 2001.
6. THE PROPERTY AS SHOWN HEREON IS SUBJECT TO ALL COVENANTS AND RESTRICTIONS OF RECORD AND THOSE RECORDED HEREWITH. NO CURRENT TITLE REPORT WAS FURNISHED FOR THIS SURVEY.

EASEMENT LEGEND

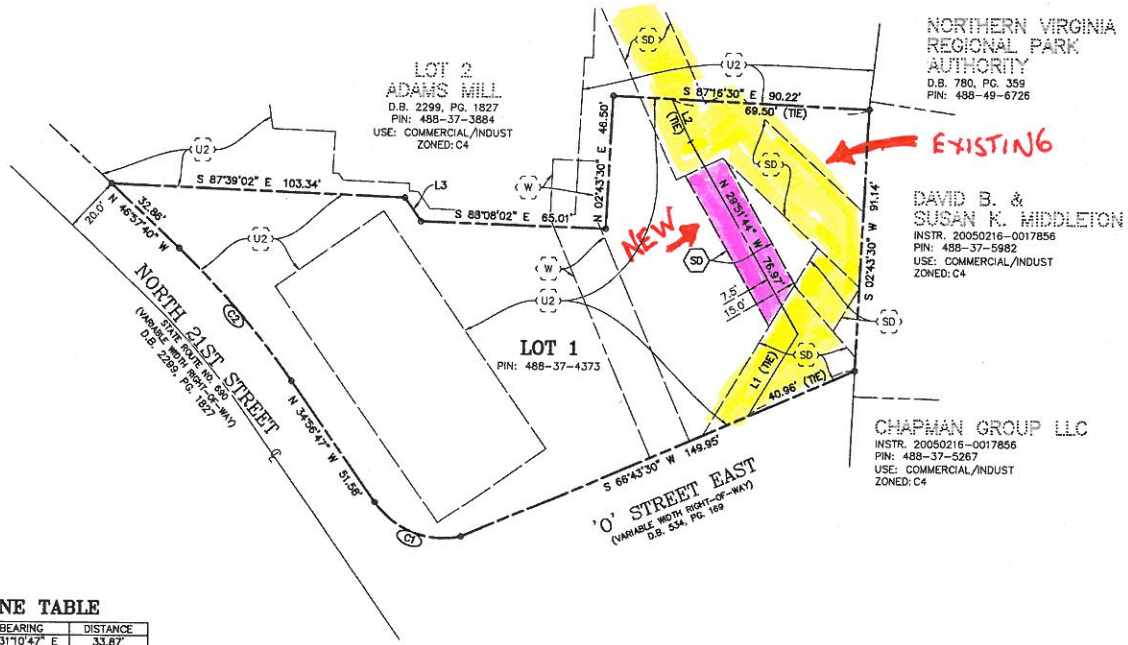
- (SD) 15' STORM DRAIN EASEMENT
- (SD) EX. 20' STORM DRAIN EASEMENT D.B. 2299, PG. 1827
- (U2) EX. EASEMENT FOR ACCESS AND UTILITIES DB 2299, PG. 1827
- (W) EX. 15' WATERLINE EASEMENT D.B. 2299, PG. 1827

RECORD NORTH



VICINITY MAP

SCALE: 1" = 1000'



LINE TABLE

LINE	BEARING	DISTANCE
L1	N 31°10'47" E	33.87'
L2	N 24°16'47" W	16.23'
L3	S 34°56'44" E	10.06'

CURVE TABLE

CURVE	RADIUS	LENGTH	CHORD BEARING	CHORD	DELTA	TANGENT
C1	29.50'	35.13'	N 68°34'47" W	33.09'	68°14'00"	19.99'
C2	290.56'	60.93'	N 40°57'15" W	60.82'	12°00'56"	30.58'

0' 30' 60' 90'
GRAPHIC SCALE

COMMONWEALTH OF VIRGINIA
PAUL SMARTZ
Lic. No. 002701
1-13-16
LAND SURVEYOR

PLAT SHOWING
CREATION OF STORM DRAIN EASEMENT
ON
LOT 1
ADAMS MILL
DEED BOOK 2299, PAGE 1827

BLUE RIDGE DISTRICT
TOWN OF PURCELLVILLE
LOUDOUN COUNTY, VIRGINIA

SCALE: 1" = 30'
DATE: FEBRUARY 26, 2015

REVISION	
01/13/16	CLIENT COMMENTS

Bowman CONSULTING

Bowman Consulting Group, Ltd.
101 South Street, S.E.
Leesburg, Virginia 20175
Phone: (703) 443-2400
Fax: (703) 443-2425
www.bowmanconsulting.com

© Bowman Consulting Group, Ltd.

DWG:\\CLUSTER\CIVIL_PROJECTS\8410 - VINEYARD SQUARE\8410-01-001 (SUN) - VINEYARD SQUARE\SURVEY\PLATS\8410-C-RP-002.DWG | BY: MAC | CHK: | QC:

BCG PROJECT NO: 8410-01-002 | TASK: 00010 | COUNTY REF NO: SEE NOTE 1 | SHEET 1 OF 1

8410-C-RP-002

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REVISED STAFF REPORT
ACTION ITEM

Item # 11a

SUBJECT: Vacancy on Town Council; Petition for Writ of Election & Interim Appointment

DATE OF MEETING: February 2, 2016

STAFF CONTACTS: Sally Hankins, Town Attorney

RECOMMENDATIONS:

1. That Town Council adopt Resolution 16-01-02, directing the Town Attorney to petition the Circuit Court for a Writ of Special Election, which special election shall occur concurrently with the General Election on May 3, 2016; and

2. That Town Council: (i) discuss whether to make an interim appointment to the vacant Council seat, (ii) if applicable, discuss the process by which such appointment shall be made, and (iii) if desired, take action to appoint someone to fill the vacant seat.

SUMMARY

1. Petition for Writ of Election

The Virginia Code requires that Town Council petition the Loudoun County Circuit Court for a Writ of Election within 15 days of a vacancy on Town Council. The deadline for filing the Petition for Writ of Election was **Wednesday, January 27, 2016**.

Virginia Code requires that the Town Council request a Special Election to occur on the same date as the next general election, which is on May 3, 2016, unless it requests an earlier date that meets all of the timing requirements set forth under Virginia Code. The only earlier date that would meet all legal requirements is Tuesday, March 8, 2016.

Staff recommends that Town Council request the Special Election to be held on May 3, 2016, because (1) it is less costly to conduct the Special Election concurrently with the General

Election, (2) the alternative date of March 8, 2016 provides little time for candidates to prepare and qualify, (3) the alternative date of March 8, 2016 is logistically difficult for the local board of elections, given its proximity to the March 1, 2016 presidential primary.

This item was originally planned for action by Town Council at its January 26, 2016 Council Work Session, which was canceled due to inclement weather. After individual discussions with the Mayor and all Council members, with all authorizing that the petition be filed, the Town Attorney filed the Petition for Writ of Election by the statutory deadline of January 27, 2016. The purpose of this action item is to have Council adopt a Resolution which formally approves the Petition for Writ of Election for a Special Election to be held on May 3, 2016.

2. Interim Appointment

The Town Charter and Virginia Code authorize the Town Council to appoint someone to fill the vacant seat until such time as the seat is filled by the winner of the Special Election. There is no required process to follow in making such an appointment. Any Council Member may make a motion to appoint someone at any meeting for which the item is either on the agenda, or properly added to the agenda. Alternatively, Council may create a process for making such an appointment, which might include applications and interviews.

BACKGROUND:

Council Member Packard resigned his seat on Town Council effective at 11:14 p.m. on January 12, 2016. The Town Charter and State Code govern how vacancies on Town Council are filled. A separate, privileged legal memorandum dated January 21, 2016 has been circulated to Town Council under separate cover, providing legal analysis and advice on the issues surrounding a vacancy on Town Council.

ISSUES:

The first action item before Town Council is approval of a Petition for Writ of Election, which the Town Council was required to file under Virginia law. Town Council's discretion under the law is limited to the date on which it requests the Special Election to be held. The law allows such date to be either May 3, 2016, concurrent with the General Election, or March 8, 2016.

The second action item before Town Council is discussion of the appointment process and any action that may result from such discussion. Action taken by Council may include one or more of the following: a decision about whether to make an interim appointment, a vote to appoint someone to fill the vacancy, or approval of a process by which the appointment will be made.

BUDGET IMPACT:

It is more cost efficient to have the Special Election held concurrently with the General Election on May 3, 2016, because all of the resources needed to conduct the Special Election will already be mobilized and the marginal increase in cost is minimal to the Town. A stand-alone Special Election held on March 8, 2016 will require the Town to pay for an additional election.

MOTIONS:

"I move that Town Council approve Resolution 16-01-02, directing the Town Attorney to file, on behalf of Town Council, a Petition for Writ of Election requesting that the Court order a Special Election be held on **May 3, 2016** to fill the vacancy on the Purcellville Town Council."

AND ONE OF THE FOLLOWING, IF INTERIM APPOINTMENT IS TO BE MADE:

"I move that Town Council approve a process by which the Council will appoint persons to vacancies on Town Council, to include the following steps:

1. _____;
2. _____;
3. _____.

OR

"I move that Town Council appoint _____ to the existing vacant seat on Town Council, to serve until such time as the winner of the Special Election is elected and qualified by the State Board of Elections to fill the seat."

ATTACHMENTS:

1. Resolution 16-01-02
2. Draft Petition for Writ of Election
3. Privileged Memorandum from Town Attorney to Town Council dated January 21, 2016, transmitted under separate cover

TOWN OF PURCELLVILLE

IN

LOUDOUN COUNTY, VIRGINIA

RESOLUTION NO. 16-01-02 **PRESENTED: JANUARY 26, 2016**

ADOPTED: _____

A RESOLUTION: DIRECTING THE TOWN ATTORNEY TO PETITION THE CIRCUIT COURT FOR A WRIT OF ELECTION TO FILL A VACANCY ON THE PURCELLVILLE TOWN COUNCIL

WHEREAS, Benjamin Packard was elected to the office of Town Council for a term commencing July 1, 2014, and terminating June 30, 2018; and

WHEREAS, Council Member Packard resigned his office effective January 12, 2016, thereby creating a vacancy; and

WHEREAS, Virginia Code § 24.2-226(A) requires the Town Council within 15 days of a vacancy to petition the Circuit Court for a writ of election to fill such vacancy; and

WHEREAS, the deadline to file said petition is January 27, 2016; and

WHEREAS, state law directs the Circuit Court to schedule such election concurrent with the general election scheduled for May 3, 2016, unless the Town Council requests an earlier date.

NOW, THEREFORE, BE IT RESOLVED, that the Town Council directs the Town Attorney to file with the Loudoun County Circuit Court a Petition for Writ of Election requesting that the Court order a Special Election to be held on May 3, 2016, for the purpose of filling a vacancy on the Town Council.

PASSED THIS _____ DAY OF _____, 2016.

_____
Kwasi Fraser, Mayor
Town of Purcellville

ATTEST:

_____
Diana Hays, Town Clerk

VIRGINIA:

IN THE CIRCUIT COURT OF LOUDOUN COUNTY

IN THE MATTER OF:	)	
	)	
SPECIAL ELECTION TO FILL	)	
VACANCY IN THE OFFICE OF THE	)	
PURCELLVILLE TOWN COUNCIL	)	Case No. _____
FOR A TERM ENDING JUNE 30, 2018	)	

PETITION FOR WRIT OF ELECTION

COMES NOW the Petitioner, the Town Council of the Town of Purcellville, Virginia ("Town Council"), by counsel, and represents to the Court as follows:

1. That Benjamin Packard was elected to the office of Town Council for a term commencing July 1, 2014, and terminating June 30, 2018; and

2. That Council Member Packard resigned his office effective 11:14 p.m. on January 12, 2016, resulting in a vacancy on Town Council; and

3. That the Code of Virginia § 24.2-226(A) provides that when a vacancy in a local elected office occurs after an officer begins his term, the governing body "shall, within fifteen days of the occurrence of the vacancy, petition the circuit court to issue a writ of election to fill the vacancy as set forth in Article 5 (§ 24.2-681 et seq.) of Chapter 6"; and

4. That the Code of Virginia § 24.2-226(A) further provides that upon receipt of such a petition, the circuit court shall "issue the writ ordering the election promptly and shall order the special election to be held on the date of the next general election in November or in May if the vacant office is regularly scheduled by law to be held in May"; and

5. That a general election to elect members of Town Council occurs every two years in May, of even years, and the next such general election shall occur on May 3, 2016.

WHEREFORE, the Petitioner respectfully requests the Court enter a Writ of Election ordering that a special election be held on May 3, 2016, for the purpose of filling a vacancy on the Purcellville Town Council. The Petitioner further requests that the Court transmit a certified copy of the Writ of Election to the Secretary of the Electoral Board for Loudoun County, Ellen Heald, ordering her to give notice of the special election in accordance with Section 24.2-683 of the Code of Virginia, and to the Secretary of the State Board of Elections, Singleton B. McAllister, Esq.

TOWN COUNCIL FOR THE
TOWN OF PURCELLVILLE, VIRGINIA

By: _____
Sally G. Hankins
Town Attorney

Sally G. Hankins, Esq.
Town Attorney
Virginia State Bar No. 50989
221 South Nursery Avenue
Purcellville, Virginia 20132
Tel.: 540-751-2394
shankins@purcellvilleva.gov
Counsel for Petitioner

Code of Virginia
Title 24.2. Elections
Chapter 2. Federal, Commonwealth, and Local Officers

§ 24.2-226. Election to fill vacancy.

A. A vacancy in any elected local office, whether occurring when for any reason an officer-elect does not take office or occurring after an officer begins his term, shall be filled as provided by § 24.2-228 or for constitutional officers as provided in § 24.2-228.1, or unless provided otherwise by statute or charter requiring special elections within the time limits provided in this title. The governing body or, in the case of an elected school board, the school board of the county, city, or town in which the vacancy occurs shall, within 15 days of the occurrence of the vacancy, petition the circuit court to issue a writ of election to fill the vacancy as set forth in Article 5 (§ 24.2-681 et seq.) of Chapter 6. Either upon receipt of the petition or on its own motion, the court shall issue the writ ordering the election promptly and shall order the special election to be held on the date of the next general election in November or in May if the vacant office is regularly scheduled by law to be filled in May. However, if the governing body or the school board requests in its petition a different date for the election, the court shall order the special election be held on that date, so long as the date requested precedes the date of such next general election and complies with the provisions of § 24.2-682. If the vacancy occurs within 90 days of the next such general election and the governing body or the school board has not requested in its petition a different date for the election, the special election shall be held on the date of the second such general election. Upon receipt of written notification by an officer or officer-elect of his resignation as of a stated date, the governing body or school board, as the case may be, may immediately petition the circuit court to issue a writ of election, and the court may immediately issue the writ to call the election. The officer's or officer-elect's resignation shall not be revocable after the date stated by him for his resignation or after the forty-fifth day before the date set for the special election. The person so elected shall hold the office for the remaining portion of the regular term of the office for which the vacancy is being filled.

B. Notwithstanding any provision of law or charter to the contrary, no election to fill a vacancy shall be ordered or held if the general election at which it is to be called is scheduled within 60 days of the end of the term of the office to be filled.

C. Notwithstanding any provision of law or charter to the contrary, when an interim appointment to a vacancy in any governing body or elected school board has been made by the remaining members thereof, no election to fill the vacancy shall be ordered or held if the general election at which it is to be called is scheduled in the year in which the term expires.

Code 1950, §§ 24-145, 24-147.1; 1958, c. 621; 1970, c. 462, §§ 24.1-76, 24.1-79; 1975, c. 515; 1976, c. 616; 1977, c. 490; 1984, c. 480; 1993, c. 641; 1996, c. 873; 2000, cc. 787, 1045, 1070; 2003, c. 1015; 2010, cc. 431, 449, 645; 2011, c. 206; 2014, c. 476.

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STAFF REPORT
ACTION ITEM

Item # 11b

SUBJECT: 12th Street Improvements: Engineering Study Results

DATE OF MEETING: January 26, 2016

STAFF CONTACTS: Alex Vanegas, Director of Public Works

SUMMARY and RECOMMENDATIONS:

The Engineering Study of drainage and infrastructure issues along S. 12th Street has proposed three potential alternatives as follows:
Option A ($700,000): addresses drainage issues only
Option B ($2.1M): addresses sidewalks, utilities and drainage
Option C ($2.0M): variation of Option B, addresses sidewalks, utilities and drainage

More detail regarding the study and alternatives can be found in the attached powerpoint presentation, which AMT Consulting Engineering will be presenting at the January 26, 2016 meeting. Staff recommends a global approach to address all issues – Option C – with an estimated cost of $2.0M.

Other options to move forward with parts of the recommended improvements can also be considered, such as moving forward with water and sewer utility work prior to roadway and drainage work, and doing a roadway overlay of asphalt to temporarily address the failing asphalt issues.

BACKGROUND:

At their July 28, 2015 meeting, Town Council recommended that the Town proceed with a feasibility study to determine possible solutions to address citizen complaints regarding drainage and the condition of the asphalt and shoulder of S. 12th Street, between Main Street and E. G Street. After a survey was completed, AMT proposed a couple of alternatives to the Town. The draft report was modified in response to comments by Town Staff and resubmitted in December 2015. This presentation by AMT Engineering will

inform Town Council of the results of the study, and includes a recommendation to address the issues with the infrastructure along S. 12th Street.

ISSUES:

Existing issues along S. 12th Street include drainage issues (rear yards and inadequate street drainage system, transportation safety (narrow travel lanes, missing curb and gutter, inadequate shoulders), pedestrian accessibility (missing sidewalks, narrow sidewalks, damaged concrete), asphalt issues (failing pavement, varying pavement thicknesses), and utility issues (existing water main is 4-inch, 6-inch minimum is needed; sewer is missing cleanouts, and there are deficient pipe sections). The street asphalt will continue to degrade if drainage issues are not addressed, water main size has an impact on the amount of water that can be delivered at fire hydrants, sewer main issues can cause sewer backups, and the lack of sidewalks, or narrow sidewalks affects the safety of pedestrians.

BUDGET IMPACT:

The recommended Option has an estimated total cost of $2.0M. Because this project includes the improvement of underground water and sanitary sewer utilities, the utility portion of the budget would need to be drawn from the water and sewer funds. An asphalt overlay to provide a temporary fix to failing asphalt issues may use VDOT street maintenance funds. Roadway and drainage issues, including pedestrian access, should be considered as a separate project, and submitted as a possible Revenue Sharing Project for VDOT funding. Revenue Sharing Projects require a 50% local match for funding.

MOTION(S):

"I move that the Purcellville Town Council approve moving forward to secure funding through the Revenue Sharing Grant Application process for the design and construction of Option (Choose Option A, B or C). Town Council will have the opportunity to approve or disapprove of the submission of a Revenue Sharing Grant Application to VDOT prior to the submission of the application."

Or

"I move that Town Council approve moving forward with the design of Option (Choose Option A, B, or C) using consulting engineering funds from VDOT street maintenance funding, other public works administration or engineering consulting funds."

Or

"I move that the South 12th Street Improvements as presented in the S. 12th Street Improvements Engineering Study Results be postponed indefinitely due to lack of funding."

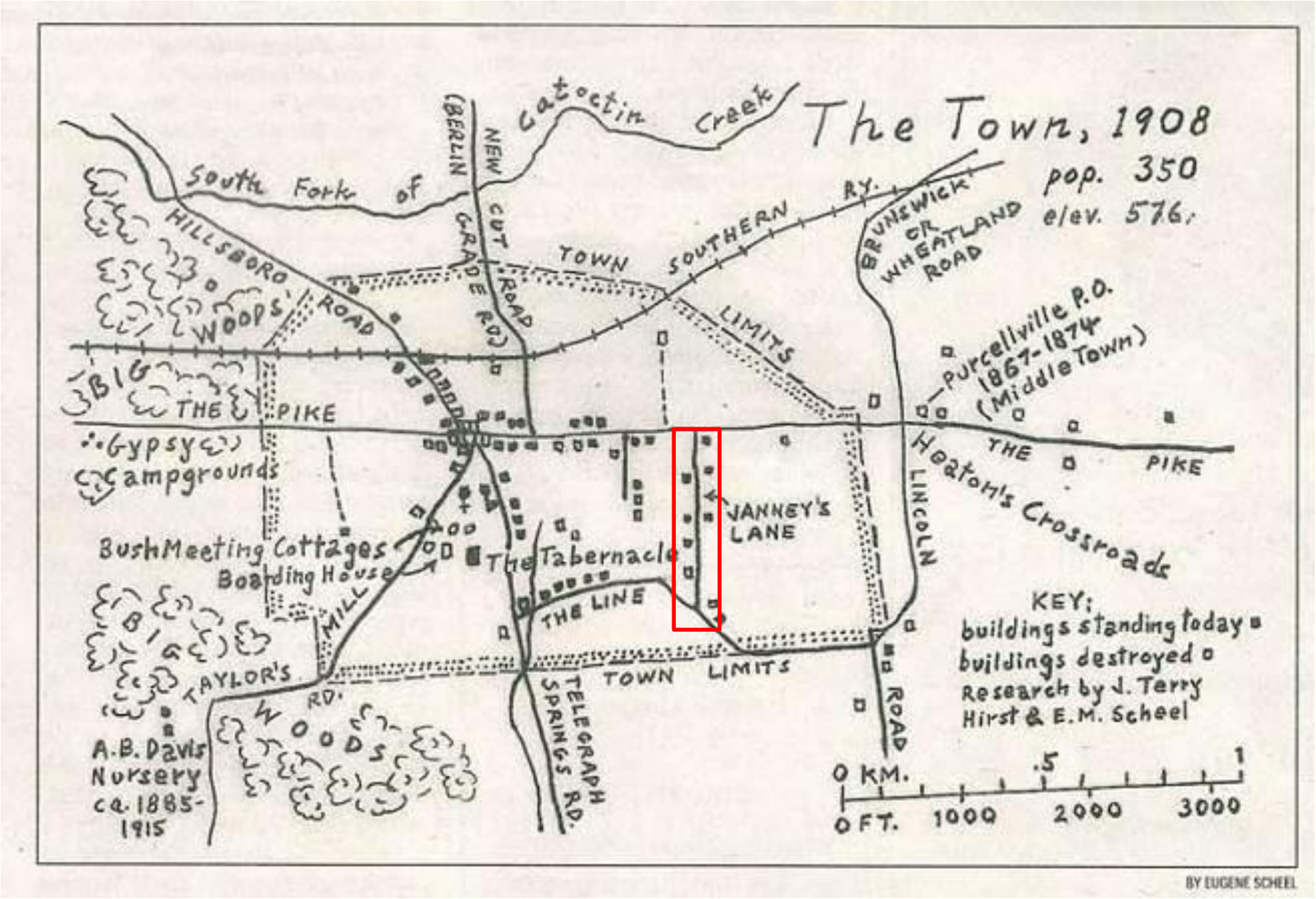
ATTACHMENT(S):

1. Powerpoint presentation, South 12th Street Improvements Engineering Study Results.

South 12th Street Improvements

Engineering Study Results

January 26, 2016



Location Map

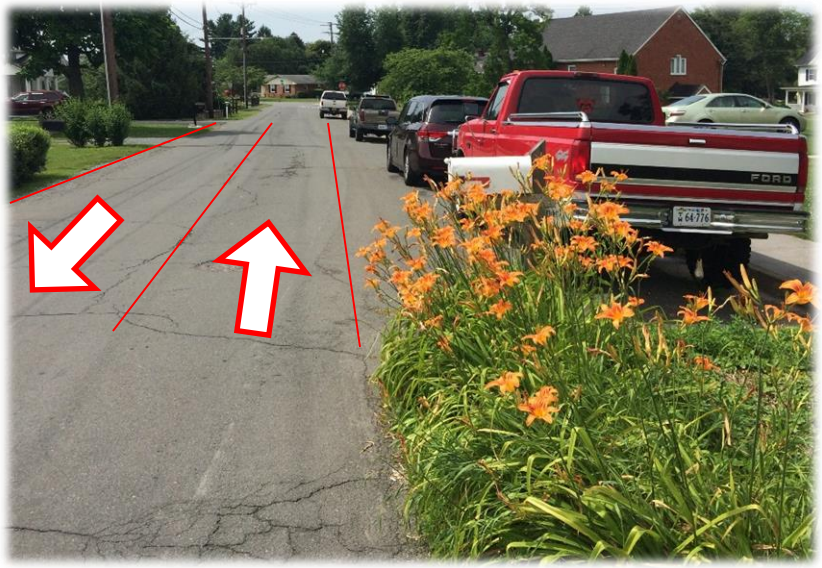
Location Map

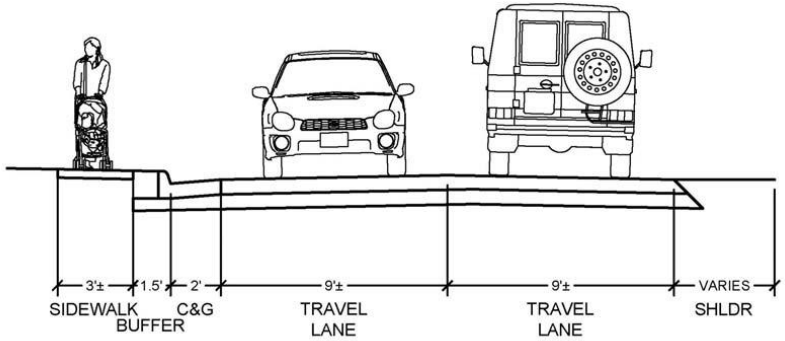
Transportation Safety

17’-20’ Pavement Widths

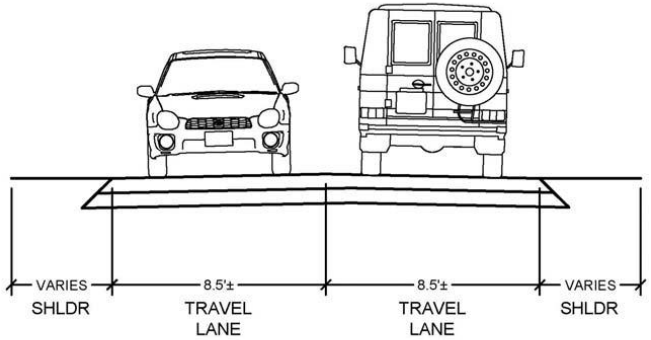
- *Narrow Travel Lanes*
- *Missing Curb & Gutter*
- *Inadequate Shoulders*

On-Street Parking (Grace Annex United Methodist Church - UMC)

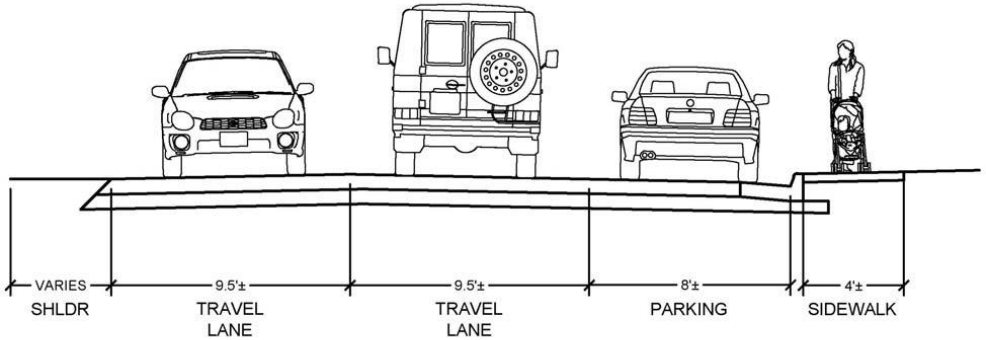




NORTHERN SECTION (EXISTING)



INTERMEDIATE SECTION (EXISTING)

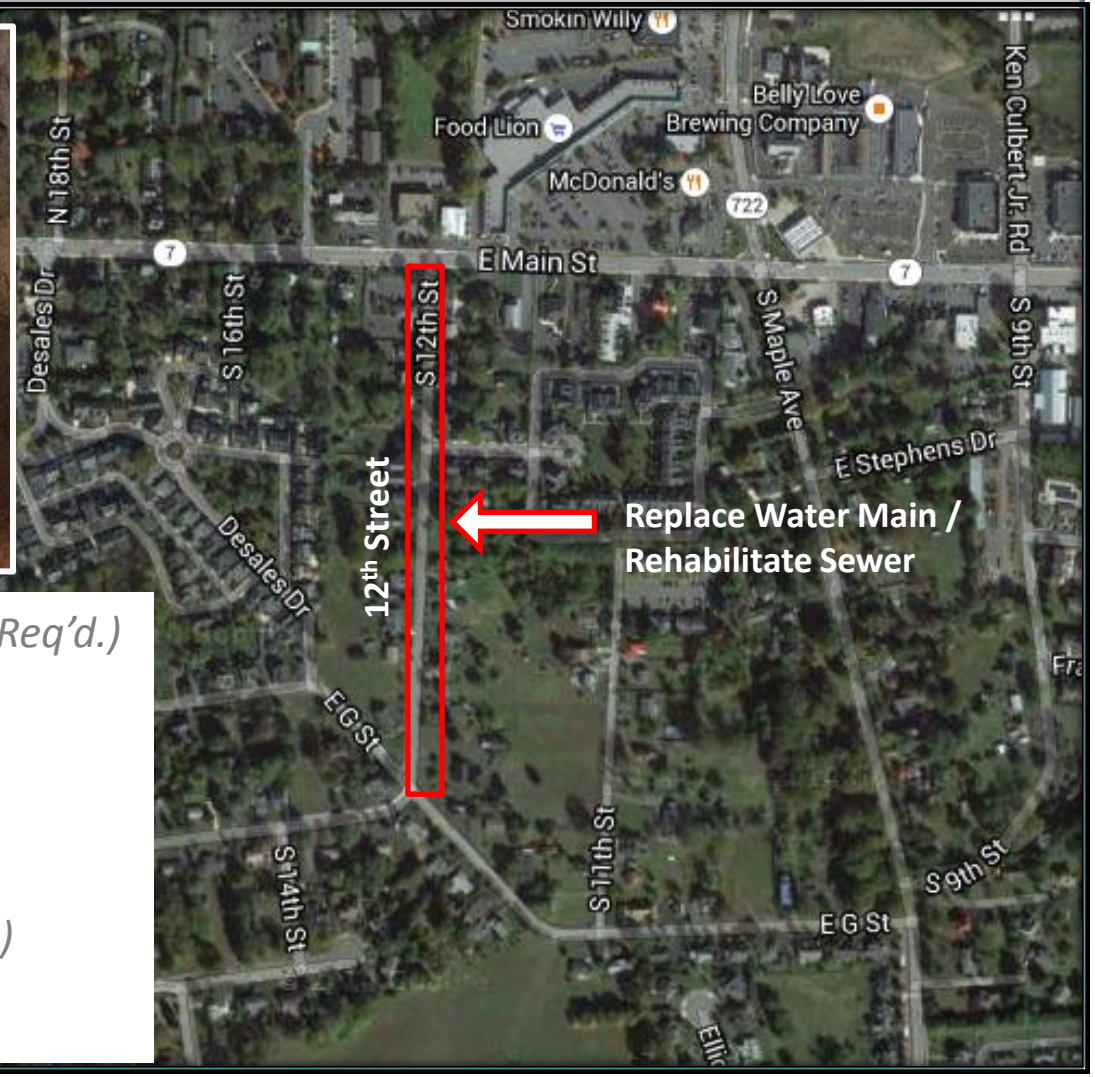


SOUTHERN SECTION (EXISTING)

Pedestrian Accessibility

- *Missing Sidewalks*
- *Narrow Sidewalks*
- *Damaged Concrete*

Utility Issues



4" Water Main at Both Ends (6" Min. Req'd.)

Sewer Condition Assessment (CHA)

- *Missing Sewer Cleanouts*
- *Deficient Pipe Sections*

Less Than 10' Horiz. Separation (W&S)

Less Than 18" Vert. Separation (W&S)

Drainage Issues

8 Low Points along Roadway and Damaged Cross Culvert
(Tracts 8, 10, 11, 12, 15, 19, 22 & 23)

Option A ($700,000)

Goal: Address Drainage Issues Only

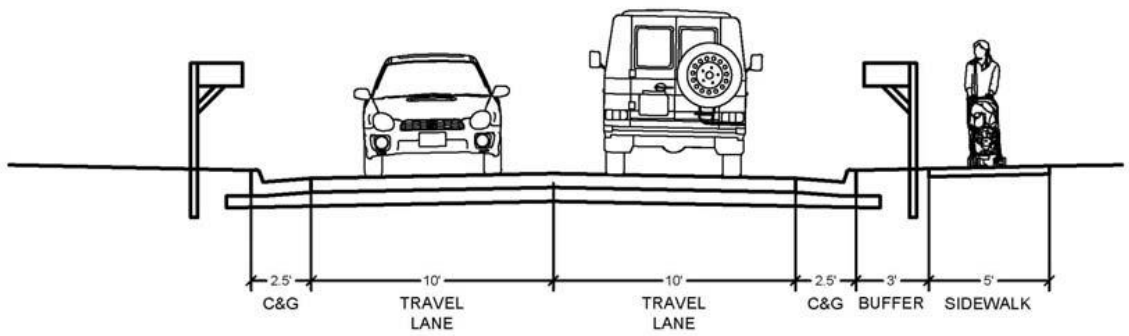
Drainage Solution (No Stormwater Management):

1. *Main Street (Connect to Storm Drain System)*
2. *Courts of St. Francis (15" RCP)*
3. *South 11th Street (Rear Yard Issues)*
4. *East G Street (Roadside Ditch)*

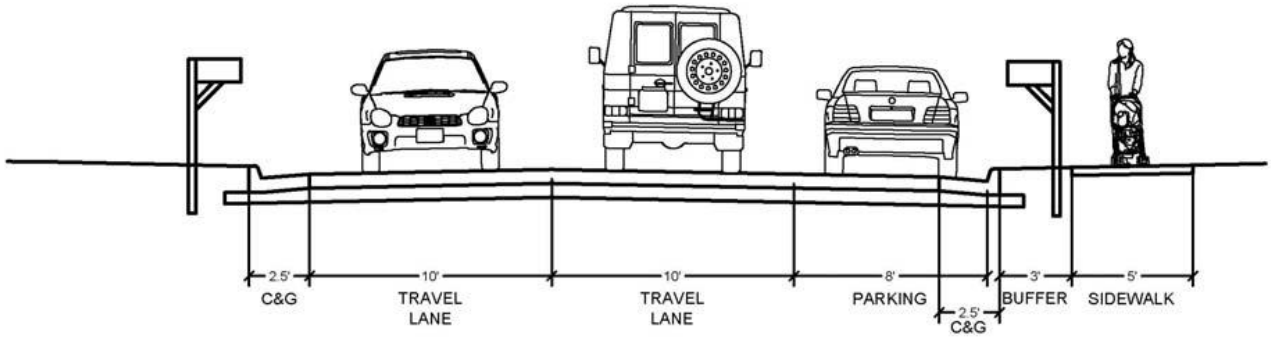
Property Issues = 13 Drainage Easements / no ROW's

Option B ($2.1M)

Expanded Goals: Sidewalks, Utilities & Drainage



CURB AND GUTTER SECTION - RECOMMENDED
(NO PARKING)



CURB AND GUTTER SECTION - RECOMMENDED
(PARKING)

Option B ($2.1M)

Lower Road Profile for Front Yard Drainage

Drainage and Stormwater Management:

1. Main Street (Manufactured Treatment Device - MTD)
2. Courts of St. Francis (15" RCP – No SWM Req'd.)
3. South 11th Street (Rear Yard Issues – No SWM Req'd.)
4. East E Street (Roadside Ditch / 2 Bioretention Basins)

Tree & Vegetation Removals / Protection Measures

Property Issues = 11 Drainage Easements + 19 ROW's

Option C ($2.0M)

Variation of Option B, as follows:

- *Retain Existing 36”W sidewalk at Main Street*
- *Eliminate Manufactured Treatment Device (at Main Street)*
- *Eliminate Outfall to the Courts of St. Francis*
- *Replace the Bioretention Basins (Grace Annex UMC / Ms. King) with Permeable Pavement in the On-Street Parking Spaces*
- *Add an Extended Detention Basin (S. 11th Street Outfall)*

Property Issues =

9 Drainage Easements (2 less) + 14 ROW’s (5 less)

Comparison of Results

Alt	Budget	Remarks
A	$700,000	Addresses Drainage Issues Only
B	$2,100,000	Addresses All Identified Issues (Sidewalks, Utilities, & Drainage)
C	$2,000,000*	Reduces the Number of Property Impacts / Keeps 36” Sidewalk / Changes the Stormwater Management Plan versus Option B)

**** Alternative “C” is recommended***

Proposed Implementation Schedule

- *Engineering Studies – July 28, 2015 (5 Months)*
- *Recommendations – January 26, 2016*
- *The Next Steps:*

  Homeowner Meetings – Spring-Summer 2016

  Water & Sewer Upgrades – Fall-Winter 2016

  *Roadway & Drainage – Spring-Summer 2017**

  ** Depends on VDOT Revenue Sharing Funds*

Total Project Budget = $2,000,000

STAFF REPORT
ACTION ITEM

Item #11c

SUBJECT: Main Street and Maple Avenue Intersection Improvements

DATE OF MEETING: January 26, 2016

STAFF CONTACTS: Alex Vanegas, Director of Public Works

SUMMARY and RECOMMENDATIONS:

Kimley Horn and Associates, Inc. ("Kimley-Horn") has prepared a report proposing safety improvements to the Main Street and Maple Avenue Intersection. The report, prepared at the Town's request with VDOT's assent, provides a re-scoped project with a lesser cost than that of the full intersection improvements project. The full project does not have funding available and because the project was not moving forward, the Town was in danger of losing funding or having to reimburse VDOT for funds already expended. Based on the pedestrian counts, traffic analysis results, and crash analysis, the following improvements are recommended by Kimley-Horn and Associates, Inc.:

- Implement a leading pedestrian interval for pedestrians crossing Main Street
- Construct a sidewalk in the northwest corner along Maple Avenue to fill in a network gap between existing sidewalk and new sidewalk that is proposed as a part of the McDonald's site plan
- Construct a mid-block crosswalk across Main Street on the west side of the entrances to the Food Lion and the LoCo Joe's
- Additionally, the Town should consider the consolidation of driveway entrances near the intersection

BACKGROUND:

The genesis of the Main Street and Maple Avenue intersection improvements can be traced back to the 2005 comprehensive transportation study that was completed by Kimley-Horn and Associates, Inc. ("Kimley-Horn"). In that study, a concept design was developed for improvements to the intersection as well as street improvements along Main Street and Maple Avenue. Since the original concept was developed, additional studies and meetings with affected property owners resulted in modified designs and 50% plans were produced.

Certain improvements have since been made to the intersection, including the upgrade of the traffic signal by VDOT in 2012, and a multiuse trail along N. Maple Avenue from E. Main Street to the W&OD Trail. Because of the lack of funding, the Town has looked to VDOT and Kimley-Horn for alternatives to address warranted vehicular and pedestrian safety improvements.

Kimley-Horn performed traffic operations analyses for various signal phasing and timing changes at the intersection for both existing and future conditions. The traffic analysis was used in conjunction with pedestrian volume data and crash data from the past three years to determine recommended improvements for the intersection. The recommendations based on the study are listed above. It should be noted that a permissive protected left turn phase for both legs of Maple Avenue would not severely affect the operations at the intersection, but a review of the past three years' crash data does not show that permissive-protected left turn phases for Maple Avenue would provide a safety benefit. Additionally, the left turn volumes from Maple Avenue do not support permissive-protected left turn phases under the existing volume conditions, but the forecast volumes do reach the level where this phasing should be considered, so volumes should continue to be monitored in the future.

ISSUES:

The Town requested Kimley-Horn to develop options for near-term improvements to the Main Street and Maple Avenue Intersection, to improve the safety at the intersection for vehicular and pedestrian traffic.

BUDGET IMPACT:

The project cost estimate for the recommended improvements is $117,000 to $150,000. There is sufficient funding in the Main Street and Maple Avenue capital project to perform this work. Failure to move forward with this work could result in the Town having to reimburse VDOT for funds already expended for the Main Street and Maple Avenue Improvements.

MOTION(S):

"I move that the Purcellville Town Council approve moving forward with the design and construction of the proposed improvements noted above for the Main Street and Maple Avenue Improvements".

Or

"I move that Town Council reject the improvements proposed and postpone improvements indefinitely."

ATTACHMENT(S):

1. None.

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STAFF REPORT
ACTION ITEM

Item # 11d

SUBJECT: **Bulk Water**

DATE OF MEETING: January 26, 2016

STAFF CONTACT: Alex Vanegas, Director, Public Works

SUMMARY and RECOMMENDATIONS:

As part of the process for moving the bulk water sales project forward, staff is providing the Town Council an opportunity to review and adopt a bulk water rate in place of the existing practice of charging water hauling vendors the amount they use on a day to day basis while using the existing water rate tiered system. We recommend that the approval of a bulk water rate occur at the same time that the water & sewer user rates are adopted by the Town Council. Furthermore, the bulk water rate should be set at 1.5 times the amount of the approved and adopted water user rates for in town customers.

BACKGROUND:

The town has sold bulk water for over a decade to contractors that conducted work on town related projects and occasionally to the contractors for developers that had large projects within the Town limits. More recently, we sold bulk water to finished developments like Purcellville Gateway. Last year as a pilot project, staff expanded the market to sell bulk water to other types of businesses with more restrictive controls in place to minimize the impacts to our distribution system. The Town ordinance does afford us the ability to sell water from a hydrant using a meter. It can be found in **Chapter 82 Utilities, Article II, Division 2, Sec. 82-80. - Charges for and limitation on use of public meter.** The rate for water drawn at the public meter shall be in accordance with the schedule referred to in subsection 82-77(a) and the minimum charge shall be as set by the council from time to time. Before any water is drawn at the public meter by any person, application shall first be made to the town engineer or town manager and payment made

for the estimated amount of water to be drawn. The town engineer shall dispatch a town employee to supervise the drawing of water, and the applicant shall pay for his services at the rate set by the council from time to time. There shall be no water drawn from the public meter when water ceases to overflow the spillway at the town dam.

As for the billing practices of the bulk water sales, in the past, the town would bill contractors for the amount they took for the day. This was usually the lowest two tiers. I reached out to several municipalities for guidance on their practices. Most utilities sell bulk water at a rate of 1.5 times the lowest two tiers. We would like to incorporate that same rate multiplier. In addition, we currently charging a $50 administrative fee to cover the cost of staff's time monitoring, tracking and billing. In the other municipalities, these type of sales are all handled strictly administratively with the fees set along with water & sewer rates under a section called miscellaneous fees. Staff would like to add a bulk water rate to the upcoming water & sewer rate approval process. In the meantime, staff would like to continue to take advantage of opportunities to sell water during low demand using the existing practice. Once we incorporate the 1.5 x multiplier and $50 administrative fee we will capture well more than the cost of production and as a result would be advantageous to our existing rate payers. As long as the Town is reducing the delta between (expenditures along with debt service payments) and user fee revenue this will help us come a little closer to stabilization of our rate structure. You do bring up a very valid concern as there will come a time as we are encroaching upon water demands that are pressing upon our capacity levels that this is will not be a beneficial process. However I firmly believe that we are currently in a situation whereby the unused capacity can be used as we have done in the past to capture some of needed revenue to reduce the aforementioned gap.

ISSUES:

Primarily there are two major areas of concern regarding expansion of bulk water program. The first area is related to the protection of the infrastructure and availability of capacity. Staff is recommending that any sale of bulk metered water occur at the Maintenance Facility to control the process and verify that the hydrant does not create a water hammer or water quality issue. Many times the town experiences these type of issue after an emergency situation related to a fire fighting event or training activity while using the town's hydrants. By placing the location at the Maintenance Facility, staff can observe and monitor the entire process without losing time travelling to a different location or

relaying on the vendor to use the meter to track all usage. Another measure incorporated to protect the system is conducting daily checks to obtain approval from the water superintendent. This is paramount since the water plant staff can verify that the capacity is available or not based on user demand and any other factors are not present that would preclude the sale of bulk water. This process protects the capacity of our source and ensures that our primary concern of providing potable water to our residents and businesses is met.

The second concern is related to the billing as well as the establishment of a fair and equitable rate. Staff is recommending that the bulk water rate be set at 1.5 times the amount of the approved and adopted water user rates for in town customers. This would be calculated on the daily draw of the vendor. Staff recommends that this rate be adopted at the same time that the water & sewer rates are approved. In addition, staff recommends that the town assess a $50 administrative fee to cover the cost of staff to monitor, track, and bill the bulk water customer accordingly. This is similar to the fixed cost fee the town places on each user bill, however since this process incorporates more staff time the fee is slightly higher. As for the fair and equitability of the bulk water rate, staff believes that it is reasonable to all categories of users within the system as the cost is higher while captures the true cost of service related to this particular use.

BUDGET IMPACT:

The sale of bulk water should result in a positive variance from the projected revenue identified in the budget. As long as the Town is reducing the delta between (expenditures along with debt service payments) and user fee revenue this will help us come a little closer to full stabilization of our rate structure.

LEGAL REVIEW:

Due diligence with legal counsel will be conducted at the time of establishment of the water & sewer rates prior to the public hearing and adoption.

MOTION:

"I move that the Purcellville Town Council directs staff to move forward to establish a bulk water rate set at 1.5 times the approved and adopted water user rates for in town customers along with an administrative fee to cover the true cost of service. Furthermore, this rate will be established and adopted at the time of the water & sewer rates are

approved by the Town Council and subsequent to legal review and any required Public Hearings."

STAFF REPORT
ACTION ITEM

Item # 13

SUBJECT: Approval of Meeting Minutes – January 12, 2016

DATE OF MEETING: January 26, 2016

STAFF CONTACTS: Diana Hays, Town Clerk/Project Manager

SUMMARY and RECOMMENDATIONS:
Attached are the meeting minutes from the January 12, 2016 Town Council Meeting.

ATTACHMENT(S):
1. January 12, 2016 Town Council Meeting Minutes

MINUTES
PURCELLVILLE TOWN COUNCIL REGULAR MEETING
JANUARY 12, 2016
TOWN HALL COUNCIL CHAMBERS

The regular meeting of the Purcellville Town Council was convened at 7:00 PM in Council Chambers with the following in attendance:

PRESENT: Kwasi Fraser, Mayor
Ben Packard, Vice Mayor (arrived at 7:40 PM)
John Nave, Council member
Joan Lehr, Council member
Karen Jimmerson, Council member
Patrick McConville, Council member
Doug McCollum, Council member

ABSENT: None

STAFF: Robert Lohr, Jr., Town Manager
Danny Davis, Assistant Town Manager
Sally Hankins, Town Attorney
Alex Vanegas, Director of Public Works
Elizabeth Krens, Director of Finance
Cindy McAlister, Police Dept.
Patrick Sullivan, Director of Community Development
Daniel Galindo, Senior Planner
Melanie Scoggins, Events Specialist
Diana Hays, Town Clerk

CALL TO ORDER OF REGULAR MEETING:

Mayor Fraser called the regular meeting to order at 7:00 PM. The Pledge of Allegiance followed.

AGENDA AMENDMENTS/APPROVAL:

a. None

PROCLAMATIONS/RECOGNITIONS:

a. Recognition – LVHS Boys Cross Country State Champions

PRESENTATIONS:

a. None

STANDING COMMITTEE, COMMISSIONS, AND BOARD REPORTS:

a. Planning Commission

Chairman McCollum stated the Planning Commission met in early December and discussed the application for a zoning text amendment to increase the maximum enrollment of home child care from six to twelve. On January 7 the Planning Commission held a public hearing on their alternate proposal which would be treated as a special exception considered by the Board of Zoning Appeals. The Planning Commission voted 4-2 to adopt the revised standards and forward to Council with a recommendation to adopt.

The Planning Commission held a second public hearing on January 7 on three applications relating to 781 South 20th Street. There were no public comments at the hearing on these three applications however the Commissioners noted that some adjoining property owners had not been notified accordingly . Notifications will be sent out and the matter rescheduled for the first Planning Commission Meeting in February.

Chairman McCollum added that Jason Brownell appeared by the Commission to discuss his proposed plans for Village Case on the undeveloped lots, and if the Planning Commission would consider his proposed application for a comprehensive plan amendment now or defer consideration until after completion of the comprehensive plan review. The Planning Commission will consider his inquiry at their next meeting.

The Planning Commissioners agreed to add to their agendas an item pertaining to disclosure on matters that are or may come before the Planning Commission.

Chairman McCollum stated he has prepared a draft Annual Report for the Planning Commission for 2015 which has been circulated to the Commissioners for comments and once discussed and adopted will be forwarded to Town Council.

Chairman McCollum stated that the Murrell "Tip" Stinnette has accepted his appointment to the Planning Commission.

b. Board of Architectural Review

Rob Lohr read the report on behalf of Vice Mayor Packard in his absence. The BAR approved two applications at their December 15 meeting – one for the construction of a storage shed at the Purcellville Library and one for façade improvements to a building located at 501 E. Main Street currently occupied by Mr. Print.

c. Parks and Recreation Advisory Board

Chairman Coy recapped Christmas in Purcellville and noted its success, and recognized the members of the PRAB as well as Town staff for their assistance in making the events successful.

Chairman Coy stated the Board is currently working on the Music and Arts Festival.

Chairman Coy added that Sports Grants Application are due by Monday, Jan. 18.

d. Economic Development Advisory Committee

Council member Nave stated the EDAC has not met however is scheduled to meet January 20 to talk about presenting an option to Town Council on getting visibility to the Town.

e. Purcellville Arts Council

Chairperson Liz Jarvis stated the PAC met and discussed pending projects including the Art in Town Program and project funding.

Chairperson Jarvis talked about the upcoming events at the Train Station as well as other events around Town, art in empty businesses around Town, and art at Town Hall.

Chairperson Jarvis added that Purcellville will be a part of the Visit Loudoun State of the Arts Forum and part of the artisan trail.

PUBLIC HEARINGS:

a. None

CITIZEN/BUSINESS COMMENTS:

Philip Message, 250 S. Nursery Ave, President of Bush Tabernacle, talked about the upcoming Loudoun Grown Expo which his organization is hosting on February 27 and is being funded by a County grant and volunteers.

Kelli Grim of Devonshire Circle talked about issues with the agenda. Her first issue was with the zoning text amendment on Hirst Road which she feels is a rezoning and needs a traffic impact analysis. The next issue is the Virginia Regional Transit ordinance text amendment and it being poor planning for Hirst Road as well as the County's plans for a park and ride on the Field's property, and suggested that the Town put this on hold until after the investigation within the facility.

Ms. Grim talked about the financial update and hasn't heard anything in the past four years about there being an issue although can tell from FOIA's that there are problems.

With the event management firm, when information is presented to the public, the issues with the validity, value and fiscal benefits and impacts of the Wine and Food Festival need addressed and isn't.

In regards to the house being sold, Ms. Grim stated that in addition to the $7,000 in expenses with the transaction and the appraisal and said the public should be able to find the information. Ms. Grim stated it deems the property is valued at $339,000 and the contract calls for $300,000 which is not justified in the report.

Ms. Grim asked that with the cupola at Town Hall it has leaked for four years and it has been damaging the property for that time and does not understand how it merits being an emergency issue and it has not gone out for bid.

Ms. Grim stated that the Operational Audit should not just include staff and Council but the citizens should be part of it.

Ms. Grim talked about the comprehensive plan which mentions the need for the capital intensity factor and suggested the Town adopt it. Ms. Grim provided the 2011 Comprehensive Plan that was provided to Council and never voted on.

Ms. Grim provided a copy of the July determination by the Zoning Administrator and another that was provided two months later which replaced it and had to be rescinded as well as the $50,000 in legal fees.

Steve Varmecky, Chappelle Hill Road, thanked Mayor Fraser for contacting him after the last meeting and supporting the idea of a joint Council position paper on issues of special interests to the residents.

Casey Chapman, 601 W. Main Street, introduced himself as a new resident to the Town and looks forward to contributing.

Jeanne Girolami of 34076 Snickersville Turnpike in Bluemont talked about some grievances she has against the Town police when Chief Smith was Chief and further talked about a fender bender with a fence her husband was involved with as well as the issues with the property owner and police department. Ms. Girolami requested that the issue be brought before Town Council for further discussion, even though Council has already elected not to discuss it further.

COUNCIL COMMENTS:

Council member McCollum stated that on December 9 he attended the public informational session for the Nursery Ave. Roadway Drainage Improvements and added he was the only Council member in attendance.

On December 21, Council member McCollum stated he wrote to the Mayor and Council member Nave to propose an initiative to jump start economic development in Town, suggesting that a high level committee be formed to address how the Town can support efforts to fill empty spaces.

Council member McCollum added he attended the Mayor's State of the Town presentation on January 5.

Council member McCollum talked about his support of the quarterly newsletter, and added that his commitment is to continue to listen to citizens.

Council member McConville stated the Christmas Marketplace was a success and thanked staff for all of their work.

Council member Jimmerson thanked staff for their work on the Christmas float.

Council member Jimmerson stated she attended the December 16 Mayor's Stage Side Chat.

On December 16 Council member Jimmerson stated she attended the holiday staff luncheon.

On December 20 and 23, Council member Jimmerson added that she and the Mayor joined Sue and Fred Medico (Santa and Mrs. Claus) with the Purcellville Police Dept., Purcellville Citizens Support Team and delivered gifts to the local families.

Council member Jimmerson stated she attended the Mayor's State of the Town on January 5 and suggested moving it to a week or so later in the future due to the holidays.

Council member Nave stated he and Mayor Fraser met with Mr. Warner and Mr. Herbert about the Warner property and its intentions.

Council member Lehr talked about the Rotary and the success with the Salvation Army this holiday season as well as Toys for Tots, blankets and coats for Syrian refugees and Sweats for Vets.

Council member Lehr stated she attended today's PBA luncheon and saw the Mayor's speech on January 5 and at the PBA.

Council member Lehr added she would like to see the quarterly newsletter added back into the budget as quickly as possible.

Vice Mayor Packard thanked staff for the Christmas parade.

Vice Mayor Packard addressed the rumors and stated that when he ran for office expected to stay for at least fifteen years and that has changed in the past few months. Vice Mayor Packard stated he has been exploring options and is comfortable saying he does plan on moving soon. Vice Mayor Packard expressed concerns for someone coming in during the budget and the cost of a special election. Vice Mayor Packard talked about personal and medical issues that he is dealing with and plans to step down from Town Council at the end of this meeting. Vice Mayor added that Council may want to add an item to the agenda to appoint a new Vice Mayor.

Mayor Fraser thanked the Vice Mayor for his support.

Mayor Fraser thanked staff for the holiday events.

Mayor Fraser stated the Town is in a promisingly strong state as noted in his State of the Town address. Mayor Fraser addressed the upcoming challenges to include a new Board of

Supervisors to meet and engage with regarding the new interchange to alleviate traffic along Hirst Road.

Mayor Fraser stated in response to Council member McCollum's comments that relative to the zoning use changes is convinced he has been consistent and not contradictory. Mayor Fraser added he is against the content of the zoning use changes.

Mayor Fraser talked about the meeting with Mr. Warner and the annexation and stated he is not against development however it needs to be done in a managed fashion and with a vision. Mayor Fraser stated that it is his preference to move forward with the Comprehensive Plan process but welcomes any mini charrettes that the property owners can have that will get citizen input.

ACTION ITEMS:

a. Zoning Ordinance Text Amendment OA15-01

Daniel Galindo introduced the staff report which had been provided at a previous meeting.

Council member Lehr made a motion that the Purcellville Town Council approve OA15-01 and adopt Ordinance 16-01-01 as set forth in the staff report ordaining text amendments to Article 4, Section 1 of zoning ordinance to add Vehicle Sales and Service as a permitted use in the C-1 District and standards for this use, for the reasons stated therein. There was no second.

Council member Nave made a motion that the Purcellville Town Council not approve OA15-01, as recommended by the Planning Commission and Town staff, for the reasons stated in the January 12, 2016 Staff Report. The motion was seconded by Vice Mayor Packard.

Council member McConville stated he feels this type of facility as a need and benefit to the Town however is not in favor of the proposed location.

Council member Jimmerson talked about the location and the possibility of it being in a flood plain as well as the line of site, and is not in favor of the particular lot. Council member Jimmerson does agree that it would be a good addition to the Town.

Council member Nave stated he does not feel this is the place for it.

Council member Lehr talked about the district, and that the comprehensive plan being a guide in the state. Council member Lehr added that waiting for the comprehensive plan could be a couple of more years and the property has sat empty for much longer.

Vice Mayor Packard stated he would rather have vehicle services along Hirst rather than Main Street, and that his concern is with the purpose of the zone which is office and accessory uses.

Mayor Fraser stated he feels this would be a low use and that he may potentially support it, however feels extra studies should be done to justify why it should go in the proposed location.

Mark Nelis came forward and talked about the architectural elevation and stated he is disappointed with the direction Council is going.

Motion:	Council member Nave
Second:	Vice Mayor Packard
Carried:	6-1-0

McConville -	Aye
McCollum -	Aye
Jimmerson -	Aye
Nave -	Aye
Lehr -	Nay
Packard -	Aye
Mayor -	Aye

b. Zoning Ordinance Text Amendment OA15-02

Daniel Galindo introduced the staff report which had been provided at previous meetings.

Council member Jimmerson stated her concern with moving forward in light of the action that is happening. Rob Lohr stated that VRT is operating, and they are not requesting to do a commuter ride lot because they do not have the ability to service that or the buses, and added that the person who would benefit from the commuter ride is Loudoun County and they did not have a search warrant served on them and are looking to consolidate operations. Rob Lohr added that Loudoun County would be the lease holder and would have the buses.

Council member Jimmerson made a motion that the Purcellville Town Council not approve OA15-02 for the following reasons: until Loudoun County makes the decision.

Council member Lehr stated that the reason needs to be why Council does not want it.

Council member Jimmerson restated her motion as follows:

I move that the Purcellville Town Council not approve OA15-02 for the following reason: It is not clearly supported by the purpose statement of the CM-1 Local Service Industrial District. The motion was seconded by Vice Mayor Packard.

Vice Mayor Packard stated that text amendments are not one project specific and that the zone is being amended and talked further about the traffic pattern.

Council member McConville stated noted that that this is a good location for this type of business.

Council member McCollum added that the current comprehensive plan talks about having a park and ride to the northern part of Town which makes this consistent, and keeps the traffic off of Main Street.

Mayor Fraser stated he believes this is a good idea and a need to remove traffic off of Main Street.

Motion:	Council member Jimmerson
Second:	Vice Mayor Packard
Failed:	0-7-0

Nave -	Nay
McCollum -	Nay
Jimmerson -	Nay
McConville -	Nay
Lehr -	Nay
Packard -	Nay
Mayor -	Nay

Council member Lehr made a motion that as recommended by the Planning Commission and Town staff, I move that the Purcellville Town Council approve OA15-02 and adopt Ordinance 16-01-02, as set forth in the Staff Report, ordaining text amendments to Article 4, Section 1 of the Zoning Ordinance to add Commuter Parking Lot as a use allowed by special use permit in the CM-1 District, for the reasons stated in the January 12, 2016 Staff Report.

Motion:	Council member Lehr
Second:	Vice Mayor Packard
Carried:	5-2-0

McConville -	Aye
McCollum -	Aye
Jimmerson -	Nay
Nave -	Aye
Lehr -	Aye
Packard -	Aye
Mayor -	Nay

Council member Lehr stated she agrees and added that this will bring more traffic to Hirst Road than a Jiffy Lube would have.

c. Town's Financial System Upgrade

Danny Davis introduced the staff report and added that the information requested at the last meeting has been included. Danny Davis further explained the issues with the current system and vendor as well as the efficiencies with a new system, and answered questions from Council about modules included, payment arrangements, RFP process, and software upgrades.

Council member McConville made a motion that the Town enter into a License and Service Agreement with Tyler Technologies, Inc. through the National Joint Powers Alliance Contract (RFP #113011) for the Munis ERP System, at a price not to exceed $330,879 for the license, implementation, data conversion, and other services related to implementation, plus $40,124 in

annual recurring service fees, with all such funds to be paid from Unassigned Fund Balance. I further move that Council authorize the Town Manager to sign such License and Service Agreement with Tyler Technologies once all other terms and conditions are approved by the Town Attorney, Town Manager, and Assistant Town Manager, AND

I move that Town Council approve an Amendment to the adopted Fiscal Year 2016 Budget to transfer no more than $170,000 from Unassigned Fund Balance to the Financial Systems Upgrade Capital Project, with future fiscal year expenditures related to this project to be programmed in future annual budgets, AND

I further move that Council approve the addition of Town staff of 1.5 full-time equivalents, with 1.0 FTE in Information Technology and 0.5 FTE in Finance. The motion was seconded by Council member McCollum.

Council shared their views about cost of the system, the lack of competitive bids, and the need for a new system.

Motion:	Council member McConville
Second:	Council member McCollum
Carried:	5-2-0

McConville -	Aye
McCollum -	Aye
Jimmerson -	Nay
Nave -	Aye
Lehr -	Aye
Packard -	Aye
Mayor -	Nay

d. Structure of the Purcellville Arts Council

Melanie Scoggins summarized the staff report and the need for structure of the Purcellville Arts Council as well as the options and the PAC's preference.

Council member Jimmerson made a motion that Town Council make the Purcellville Arts Council a Standing Committee that is administered to provide guidance and oversight in areas of promoting visual and performing arts within the community and working with existing non-profit and other government groups to help promote art related programs. The motion was seconded by Vice Mayor Packard.

Council member McCollum stated that if this will be a standing committee that all members be interviewed by all of Town Council. Rob Lohr added that if Council chooses this option it will involve a public hearing and ordinance development to include the membership, the selection process, terms and specific details. Rob Lohr recommended added Liz Jarvis and interested members of the committee along with Council to formalize the ordinance.

Council member Lehr made a friendly amendment that Council direct staff to move forward with the necessary processes to form this committee. The friendly amendment was accepted by Council member Jimmerson.

Motion:	Council member Jimmerson
Second:	Vice Mayor Packard
Carried:	7-0-0

McConville -	Aye
McCollum -	Aye
Jimmerson -	Aye
Nave -	Aye
Lehr -	Aye
Packard -	Aye
Mayor -	Aye

e. Selection of Event Management Firm

Danny Davis talked about the preparations involved for the Wine and Food Festival including obtaining sponsorships to help offset expenses. Danny noted bids were received and The High Road Incorporated has provided the best value to the Town as well as experience.

Council member Lehr stated that no comparisons are provided and that this item be tabled until more information is provided. Danny Davis added that the information can be discussed in closed meeting if desired due to the proposals being confidential.

After further discussion, the majority of Council requested more information. Danny Davis stated a motion could be prepared to discuss the item in closed meeting as to not have it deferred. Council agreed to discuss this in the closed meeting. Danny Davis introduced Bill Collins from The High Road who was present to hear the discussion.

f. Approval of Water Tank Painting Contract

Alex Vanegas summarized the staff report and talked about the painting history of the tank. Upon inspection it was determined that the tank needed repainted. Council member Lehr asked about the possibility of removing antennas for maintenance on the tank. Sally Hankins stated she would prefer to answer in a closed meeting how she interprets the terms of the leases because it could be the subject of a dispute.

Vice Mayor Packard made a motion that the Purcellville Town Council authorize the Town Manager to negotiate and execute a contract with Utility Service Group to paint the elevated water tank and have staff coordinate with USG & GloTel to work negotiating and relocating of the cell phone antennas with the respective leeses during the painting process and subsequently relocating the antennas to a coral crown if feasible. The motion was seconded by Council member McConville.

Council member Lehr asked if the amount needs included with the motion.

Vice Mayor Packard amended the motion to state that Town Council authorize the Town Manager to negotiate and execute a contract with Utility service Group to paint the elevated water tank at a cost not to exceed $300,000 and have staff coordinate with USG and GloTel to work negotiating and relocating of the cell phone antennas with the respective leeses during the painting process and subsequently relocating the antennas to a coral crown if feasible. The motion was seconded by Council member McConville.

Motion: Vice Mayor Packard
Second: Council member McConville
Carried: 7-0-0

McCollum -	Aye
McConville -	Aye
Jimmerson -	Aye
Nave -	Aye
Lehr -	Aye
Packard -	Aye
Mayor -	Aye

g. Forestry Stewardship Plan

Alex Vanegas summarized the staff report and asked that Council approve the plan and direct staff to submit it to VOF for consideration.

Council member McCollum expressed concerns of impact of tree harvestry on surface waters and soil erosions. Alex Vanegas stated that the study was done by an expert and the locations have been specifically selected. Council member McCollum asked if the Town arborist is involved with the process and Alex stated they are not. Per the Mayor's request, Alex Vanegas will forward a copy of the report to the arborist at the same time as sending it to VOF so a second opinion can be obtained.

Council member McConville made a motion that the Purcellville Town Council approve the Forestry Stewardship Plan and authorize staff to submit the document, as shown in Attachment 1 to the Virginia Outdoors Foundation for approval.

Motion: Council member McConville
Second: Council member Jimmerson
Carried: 7-0-0

McCollum -	Aye
McConville -	Aye
Jimmerson -	Aye
Nave -	Aye
Lehr -	Aye
Packard -	Aye
Mayor -	Aye

h. Hirst Farm Well Update

Alex Vanegas summarized the history of the well and went through the options available to repair the well. Mayor Fraser asked the possibilities of an engineering defect and asked about going back to the installer for repairs. Alex stated the well was installed 13 years ago and would be beyond any warranty period.

Council member Nave made a motion that the Purcellville Town Council approve the use of Options 1 & 2 as related to the Hirst Farm Well alternatives and directs the Town Manager to approve funding associated with the respective option(s) to make the necessary improvements needed to place the well back in service once the Town receives VDH-ODW's approval.

Motion: Council member Nave
Second: Council member McConville
Carried: 7-0-0

McCollum -	Aye
McConville -	Aye
Jimmerson -	Aye
Nave -	Aye
Lehr -	Aye
Packard -	Aye
Mayor -	Aye

i. Approval of Purchase Contract for 781 S. 20th Street

Rob Lohr stated that the approval would allow staff to move forward with the contract which would be contingent upon funding. Mayor Fraser asked about the assessed value being $339,000. Rob Lohr talked about the money the tenant has put into the property as well as other expenses to the Town if the Town decided to keep the property.

Council member Jimmerson made a motion that the Town Council approve the sale of real property owned by the Town and identified as Parcel Number 489-38-4477-000, to The Good Shepherd Alliance for a price not less than $300,000 and in general compliance with the terms and conditions set forth in the draft Contract of Sale;
And
I further move that Town Council authorize and direct the Town Manager to finalize and execute the Contract of Sale with The Good Shepherd Alliance;
And
I further move that the Town Council authorize and direct the Mayor to execute the Special Warranty Deed and Modification of Easements once all Contract terms have been satisfied.

The motion was seconded by Vice Mayor Packard.

Motion:	Council member Jimmerson
Second:	Vice Mayor Packard
Carried:	7-0-0

McCollum -	Aye
McConville -	Aye
Jimmerson -	Aye
Nave -	Aye
Lehr -	Aye
Packard -	Aye
Mayor -	Aye

j. Contract Approval for Cupola Work at Town Hall

Rob Lohr talked about the ongoing issues with the cupola and the increased amounts of water coming in from different locations.

Council member McCollum made a motion that Town Council approve the emergency procurement of Lauten Design and Construction to complete repairs to the cupola at the Town Hall located at 221 S. Nursery Ave. in the amount of $49,970. This money will be transferred from General Fund Reserves to 100-4041350-5955 Town Hall Building Repairs. The motion was seconded by Council member Jimmerson.

Motion:	Council member McCollum
Second:	Council member Jimmerson
Carried:	7-0-0

McCollum -	Aye
McConville -	Aye
Jimmerson -	Aye
Nave -	Aye
Lehr -	Aye
Packard -	Aye
Mayor -	Aye

DISCUSSION/INFORMATIONAL ITEMS

b. Makersmith Proposal

Mayor Fraser stated that Town Council has received a proposal and he would like to invite the individual to a Council meeting to give a presentation. Vice Mayor Packard recommended that the proposal be discussed with staff first in case of fiscal or any other restraints.

c. Town Hall Signage

Mayor Fraser stated that a former EDAC member proposed changing the sign on Town Hall to have it spelled out as Purcellville Town Hall. Mayor Fraser requested that EDAC bring this item before Council to include what is needed and the funding. Mayor Fraser added that the Garden Club has agreed to partner with Purcellville in this effort.

Council member Lehr stated she was part of the original decision not to put the word Purcellville on Town Hall because the location is in Purcellville. Council member Lehr added that it also makes it about 20% smaller, however would like to vote on this item at the next meeting.

a. Economic Development Monthly Update

Council had no questions or comments.

DISCUSSION OF ITEMS PROPOSED FOR FUTURE PRESENTATIONS:

a. None

CLOSED MEETING

Council member Lehr made a motion that as authorized under Section 2.2-3711(A)(29) of the Code of Virginia, I move that the Purcellville Town Council convene in a closed meeting to discuss the award of a public contract for Events Management Services involving the expenditure of public funds, including discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body and would open to the public confidential details of the proposals prior to the Town's award of the contract, in violation of the Virginia Public Procurement Act.

The following individuals are requested to attend the closed meeting:

1. All Town Council members
2. Robert W. Lohr, Jr., Town Manager
3. Danny Davis, Assistant Town Manager
4. Melanie Scoggins, Event Specialist

And

As authorized under Section 2.2-3711(A)(7) of the Code of Virginia, I move that the Purcellville town Council convene in a closed meeting to consult with legal counsel regarding Mary Ellen Stover's pending appeal of the Board of Zoning Appeals Vineyard Square decision to the circuit court, because such consultation and briefing in an open meeting would adversely affect the negotiating or litigating posture of the public body.

The following individuals are requested to attend the closed meeting:

1. All Town Council members
2. Sharon Pandak, Partner, Greehan, Taves, Pandak & Stoner

The motion was seconded by Council member McConville.

Motion: Council member Lehr
Second: Council member McConville
Carried: 7-0-0

McCollum -	Aye
McConville -	Aye
Jimmerson -	Aye
Nave -	Aye
Lehr -	Aye
Packard -	Aye
Mayor -	Aye

Council member Lehr made a motion that the Purcellville Town Council reconvene in an open meeting and that the minutes reflect no formal action was taken in the closed meeting.

Motion: Council member Lehr
Second: Council member McConville
Carried: 7-0-0

McCollum -	Aye
McConville -	Aye
Jimmerson -	Aye
Nave -	Aye
Lehr -	Aye
Packard -	Aye
Mayor -	Aye

Council member Lehr made a motion that the Purcellville Town Council adopt Resolution 16-01-01 certifying the closed meeting of January 12, 2016.

Motion: Council member Lehr
Second: Council member McCollum
Carried: 7-0-0

McCollum -	Aye
McConville -	Aye
Jimmerson -	Aye
Nave -	Aye
Lehr -	Aye
Packard -	Aye

Mayor -	Aye

11e. Selection of Event Management Firm

Vice Mayor Packard made a motion that Town Council recommend that Town staff finalize an agreement by and between the Town and The High Road Inc. for the provision of event management services for the Purcellville Wine and Food Festival. The Town Manager will execute the agreement on behalf of the Town. The motion was seconded by Council member Lehr.

Motion:	Vice Mayor Packard
Second:	Council member Lehr
Carried:	7-0-0

McCollum -	Aye
McConville -	Aye
Jimmerson -	Aye
Nave -	Aye
Lehr -	Aye
Packard -	Aye
Mayor -	Aye

APPROVAL OF MINUTES:

a. December 8, 2015 Town Council Meeting

Council member Jimmerson made a motion that the minutes from December 8, 2015 wave reading. The motion was seconded by Vice Mayor Nave. Council unanimously approved.

ADJOURNMENT:

Council member Jimmerson made a motion to adjourn the meeting at 10:59 p.m. The motion was seconded by Vice Mayor Packard. The motion passed unanimously.

At 11:00 p.m. Council member Jimmerson made a motion to re-open the meeting. The motion was seconded by Vice Mayor Packard. The motion passed unanimously.

Sally Hankins stated that with the resigning of Vice Mayor Packard, the next step is that within the next 15 days, the Town Council petitions the Circuit Court of Loudoun County to schedule a special election. Meanwhile, the Town Council is authorized if it acts within the next 45 days, to appoint a replacement for Council member Packard. The appointment, if Council elects to do so, is seated until someone is elected for the seat at a special election. The Circuit Court would order the special election to occur concurrent with the general municipal election on May 3, 2016, however Council is authorized to request an earlier date. Sally Hankins clarified that whoever won the special election would serve Council member Packard's remaining term which expires in 2018. Sally Hankins clarified a question from Council

member Lehr that she believes there would be two ballots – one for the special election and one for the general election and that someone can run for both. Rob Lohr talked about the process of advertising, interviewing, etc. Sally Hankins added that Council should consider whether or not they would like make an appointment to fill the seat given the election is not far away, and added that the new person would be coming in in the middle of the budget season. Council member Lehr asked that the information needed be distributed to Council by the end of the week.

Council member Lehr nominated Patrick McConville to fill the Vice Mayor position. The motion was seconded by Council member Nave.

Motion:	Council member Lehr
Second:	Council member Nave
Carried:	7-0-0

Nave -	Aye
Lehr -	Aye
Packard -	Aye
McCollum -	Aye
McConville -	Aye
Jimmerson -	Aye
Mayor -	Aye

ADJOURNMENT:

Vice Mayor Packard made a motion to adjourn the meeting at 11:14 p.m. The motion was seconded by Council member Jimmerson. The motion passed unanimously.

_____
Kwasi A. Fraser, Mayor

_____
Diana Hays, Clerk of Council

TOWN OF PURCELLVILLE

IN

LOUDOUN COUNTY, VIRGINIA

ORDINANCE NO. 16-01-02 **PRESENTED:** **January 12, 2016**
ADOPTED: **January 12, 2016**

AN ORDINANCE: **APPROVING OA15-02 TO AMEND ZONING ORDINANCE ARTICLE 4, SECTION 1 BY ADDING COMMUTER PARKING LOT AS A USE ALLOWED BY SPECIAL USE PERMIT IN THE CM-1, LOCAL SERVICE INDUSTRIAL DISTRICT.**

WHEREAS, the Town Council of the Town of Purcellville, Virginia states the following as its recitals and findings:

R1. On August 11, 2015, the Town of Purcellville received an ordinance amendment application, coded as OA15-02, requesting a text amendment to Article 4, Section 10.3 of the Zoning Ordinance for the Town of Purcellville, Virginia to allow "Commuter Parking Lot. Parking lots or structures designed for short term parking of vehicles the occupants of which transfer to public transit to continue their trips." as a use allowed by special use permit in the CM-1, Local Service Industrial District.

R2. The Planning Commission held a duly-advertised public hearing concerning OA15-02 on October 15, 2015.

R3. The Planning Commission voted at its regular meeting on October 15, 2015, to recommend approval of OA15-02.

R4. The Town Council conducted a duly-advertised public hearing concerning OA15-02 on December 8, 2015.

R5. On December 8, 2015, Town Council approved Ordinance 15-11-01 which amended the Zoning Ordinance in ways that resulted in substantial changes to the ordinance's formatting and the uses allowed in its zoning districts.

R6. In anticipation of the possible approval of Ordinance 15-11-01, the applicant for OA15-02 previously agreed that an alternative amendment reflecting the Zoning Ordinance's new formatting could achieve the intent of the originally requested text amendment by amending Article 4, Section 1 of the Zoning Ordinance to allow "Parking lot, commuter" as a use allowed by special use permit in the CM-1, Local Service Industrial District.

R7. The Purcellville Town Council finds that the Zoning Ordinance text amendments set forth in this Ordinance are required to serve the public necessity, convenience, and general welfare, and constitute good zoning practice.

NOW THEREFORE, the Council of the Town of Purcellville, Virginia hereby ordains:

SECTION I. That Article 4, Section 1 of the Zoning Ordinance for the Town of Purcellville, Virginia is hereby amended to add all underlined text and to remove all strikethrough text as follows:

ARTICLE 4. - DISTRICT REGULATIONS

Section 1. - Use Regulations.

1.1 Use table.

……

Use	R2	R3	R3A	R8	R15	C1	MC	C4	CM1	M1	PDH	X	IP	AC	RT	Use Standard
……																
Parking lot, commuter									SUP				SUP			
……																

……

SECTION II. That all prior ordinances in conflict herewith are hereby repealed.

SECTION III. That if a court of competent jurisdiction declares any provision of this Ordinance invalid, the decision shall not affect the validity of the Ordinance as a whole or any remaining provisions of the Purcellville Zoning Ordinance.

SECTION IV. That this ordinance shall be effective upon its adoption.

PASSED THIS 12th DAY OF JANUARY, 2016.

_____

Kwasi A. Fraser, Mayor
Town of Purcellville

ATTEST:

_____

Diana Hays, Town Clerk

Mayor
Kwasi A. Fraser

Council
Joan Lehr
John A. Nave
Patrick McConville II
Karen Jimmerson
Douglass J. McCollum
Benjamin J. Packard

www.purcellvilleva.gov

Town of Purcellville Virginia

Town Manager
Robert W. Lohr, Jr.

Assistant Town Manager
Daniel C. Davis

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Purcellville, VA 20132
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TOWN OF PURCELLVILLE
TOWN COUNCIL

RESOLUTION NO. 16-01-01 **PRESENTED:** **JANUARY 12, 2016**
ADOPTED: **JANUARY 12, 2016**

A RESOLUTION: CERTIFYING THE CLOSED MEETING ON JANUARY 12, 2016

WHEREAS, the Town Council of the Town of Purcellville, Virginia, has this day convened a closed meeting in accordance with an affirmative recorded vote of the Purcellville Town Council and in accordance with the Virginia Freedom of Information Act.

NOW, THEREFORE, BE IT RESOLVED that the Purcellville Town Council does hereby certify that to the best of each member's knowledge, i.) only public business matters lawfully exempted from open meeting requirements under the Freedom of Information Act were discussed in the closed meeting to which this certification applies; and ii.) only such public business matters as were identified in the motion by which the said closed meeting was convened were heard, discussed or considered by the Purcellville Town Council.

PASSED THIS 12TH DAY OF JANUARY, 2016.

Kwasi A. Fraser, Mayor
Town of Purcellville

ATTEST:

Diana Hays, Town Clerk